

COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING & ZONING DIVISION

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# **Board of Zoning Appeals Staff Reports 2021**

**Monday, June 22, 2021  
7:00 P.M.  
City Hall Forum**

**Agenda  
Board of Zoning Appeals  
Springfield, Ohio  
Monday, June 21, 2021  
7:00 P.M.**

**1. Call to Order**

**2. Roll Call**

**3. Approval of May 17, 2021 Meeting Minutes**

ACTION

**4. Swearing In of Witnesses**

ACTION

**5. Case #21-A-27**

DISCUSSION  
& ACTION

Request from Fred Messaros for a conditional use permit to reestablish a salvage yard at 2101 W Jefferson St. in a M-1, General manufacturing District

**6. Case #21-A-28**

DISCUSSION  
& ACTION

Request from Kettering Health for a variance from Chapter 1155 to allow for three free standing signs at 2300 N Limestone St. in a CC-2, Community Commercial District

**7. Case #21-A-29**

DISCUSSION  
& ACTION

Request from Gregory Cook for a variance from Chapter 1150.01 and 1152.02(f) to build a garage two feet from the side property line and over 16 feet tall at 2130 Rutland Ave. in a RS-5, Low-Density, Single-Family Residence District

**8. Case #21-A-30**

DISCUSSION  
& ACTION

Request from Community Civil Engineers for a conditional use permit to allow for a gas station at 2206 Bechtle Ave. in a CC-2A, Shopping Center District

**9. Case #21-A-31**

DISCUSSION  
& ACTION

Request from Community Civil Engineers for a conditional use permit to allow for a gas station at 908 W North St. in a CC-2, Community Commercial District

**10. Board Comments**

DISCUSSION

**11. Staff Comments**

DISCUSSION

**12. Adjourn – Next meeting is July 19, 2021**

ACTION

## 2021 Board of Zoning Appeals Call to Order: Roll Call

<b>Name</b>	<b>Term Expiration</b>
Mark Brown	03/13/2024
James Burkhardt	03/31/2024
Rhonda Zimmers	01/06/2022
Dori Gaier	05/11/2022
Denise Williams	08/02/2022
Charles Harris	03/26/2022
Matthew Ryan	08/11/2023
<b>Quorum - 4</b>	

# **Agenda Item # 5**

**Case #21-A-27**

**Conditional Use**

**FOR OFFICE USE ONLY**

Case #: 21-66  
Date Received: JLS  
Received by: 5-21-21  
Application Fee: \$ 285.  
Review Type:  
☐ Admin ☐ CPB ☒ BZA

**21-427****GENERAL APPLICATION****A. PROJECT**

1. Application Type &amp; Project Description (attach additional information, if necessary):

SALVAGE YARD LICENSE2. Address of Subject Property: 2101 + 2103 W. JEFFERSON ST3. Parcel ID Number(s): 2101 W JEFFERSON 3400600010201004  
2103 W JEFFERSON 34006000102010054. Full legal description attached? ☐ yes ☐ no5. Size of subject property: 2101 JEFFERSON 0.342 ACRES 2103 JEFFERSON 0.75 ACRE6. Current Use of Property: VACANT

7. Current Zoning of Property: \_\_\_\_\_

**B. APPLICANT**1. Applicant's Status (attach proof of ownership or agent authorization) ☒ Owner☐ Agent (agent authorization required) ☐ Tenant (agent authorization required)2. Name of Applicant(s) or Contact Person(s): FRED MESSAROSTitle: OWNERCompany (if applicable): METAL-TECH RECYCLING LLC.Mailing address: 2811 FAIRFIELD PIKECity: SPRINGFIELD State: OH ZIP: 45502Telephone: (937) 536-9370 Fax: ( ) \_\_\_\_\_  
937 605-1040Email: F.MESSAROS 70 AT Icloud.com

3. If the applicant is agent for the property owner:

Name of Owner (title holder): Fred MESSAROS

Mailing Address: 2936 Robert Pike

City: Springfield State: OH ZIP: 45502

**I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION  
CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR  
KNOWLEDGE.**

*Frederick MESSAROS*  
Signature of Applicant

*Frederick M. MESSAROS*  
Signature of Co-applicant

FREDERICK MESSAROS  
Typed or printed name and title of applicant

FREDERICK M. MESSAROS  
Typed or printed name of co-applicant

State of Ohio  
County of Clark

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of  
May, 2021

by Jennifer M Billet (name of person acknowledged).

(seal)



**JENNIFER M BILLET**  
Notary Public, State of Ohio  
My Commission Expires Mar. 04, 2026

*Jennifer M Billet*  
Notary Public Signature  
My commission expires: 3-4-26



CITY OF SPRINGFIELD  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING & ZONING DIVISION

BOARD OF ZONING APPEALS APPLICATION

Date: 5-21-21

Property address: 2101 + 2103 W Jefferson ST

Requested Action: ☐ Conditional Use  
☐ Interpretation of the Zoning Code or Map  
☐ Change of a Nonconforming Use  
☒ Other

Section of the Zoning code applicable: SALVAGE YARD

Purpose of this request, including the improvements or physical changes proposed if this application is approved:

SALVAGE YARD

Please include the following exhibits:

**Exhibit A**

A scale drawing with the dimensions of the property including existing and proposed buildings and their distances from lot lines, parking spaces, and adjoining streets and alleys. Please see example site plan. Additional copies may be required as needed.

Basis for the requested action: Substantiate the reasons why you feel the Board of Zoning Appeals should grant your request. Be specific. Use the space that follows (attach additional pages if necessary).

THERE IS NO SCRAP YARDS ON THAT SIDE  
OF TOWN SHOULD HELP CLEAN UP THAT SIDE  
WE ARE GOING TO TRY TO RECYCLE  
PLASTIC AND CARD BOARD WHICH OTHERS DON'T

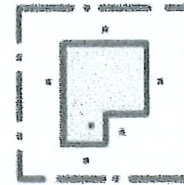


Clark County GIS - John S. Federer  
(937) 521-1860 - gis@clarkcountyohio.gov

Report generated: Friday, May 21, 2021

Your report is loading.

## Parcel Report



Sorry, no sketch available  
for this record

### Base Data

Parcel Number: 3400600010201005  
Owner Name: MESSAROS FREDERICK  
MICHAEL  
Property Address: 2103 W JEFFERSON ST,  
SPRINGFIELD 45506  
Percent Owned %:

### Legal

Neighborhood: 340C2000 Legal Acres: 0.75  
Legal Description: CCC & ST L RR Land Use: 400  
COMMERCIAL  
VACANT  
LAND  
0010-01  
Map Number:  
SOUTH  
OF  
JEFFERSON  
W ST;  
C

### Class:

### Tax Credits

Homestead No  
Exemption:  
2.5% Reduction: No

### Valuation

	Appraised	Assessed (35%)
Land Value:	\$9,800.00	\$3,430.00
Building Value:	\$0.00	\$0.00
Total Value:	\$9,800.00	\$3,430.00
CAUV Value:	\$0.00	
Taxable Value:	\$3,430.00	

### Land

Description	Effective Lot Size	Act. Frontage	Acres	Sq. Foot	Value
UNDEVELOPED/RESIDUAL			0.75	32,670	\$9,800.00

### Land Totals

Effective Total Acres	0.75
Effective Total	32,670
Square Footage	
Total Value	\$9,800.00

### Valuation

	Appraised	Assessed (35%)
Land Value:	\$9,800.00	\$3,430.00
Building Value:	\$0.00	\$0.00
Total Value:	\$9,800.00	\$3,430.00
CAUV Value:	\$0.00	
Taxable Value:	\$3,430.00	

### Sales

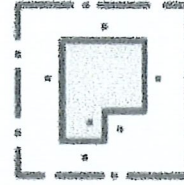
Sale Date	Sale Price	Seller	Buyer	Number of Parcels
01/29/2014	\$52,000.00	ACKLEY WARD & ESTHER	MESSAROS FREDERICK MICHAEL	2
05/29/1996	\$45,000.00	CHAPMAN DAVID G	ACKLEY WARD & ESTHER	
02/29/1984	\$17,000.00			



Clark County GIS - John S. Federer  
(937) 521-1860 - [gis@clarkcountyohio.gov](mailto:gis@clarkcountyohio.gov)

Report generated: Friday, May 21, 2021

### Parcel Report



Sorry, no sketch available  
for this record

### Base Data

Parcel Number: 3400600010201004  
Owner Name: MESSAROS FREDERICK  
MICHAEL  
Property Address: 2101 JEFFERSON ST,  
SPRINGFIELD 45506  
Percent Owned %:

### Legal

Neighborhood: 340C2000 Legal Acres: 0.00  
Acres:  
Land Use: 400 COMMERCIAL  
VACANT  
LAND  
0010-01  
Map Number:  
Description: EAST OF  
WEST  
CORP  
LINE  
SOUTH  
SIDE  
JEFFERSON;  
Class: C

### Valuation

Appraised Assessed (35%)  
Land Value: \$12,500.00 \$4,380.00  
Building Value: \$0.00 \$0.00  
Total Value: \$12,500.00 \$4,380.00  
CAUV Value: \$0.00  
Taxable Value: \$4,380.00

### Tax Credits

Homestead No  
Exemption:  
2.5% Reduction: No

### Land

Description	Effective Lot Size	Act. Frontage	Acres	Sq. Foot	Value
PRIMARY SITE			0.342	14,880	\$12,500.00

### Land Totals

Effective Total Acres	0.342
Effective Total	14,880
Square Footage	
Total Value	\$12,500.00

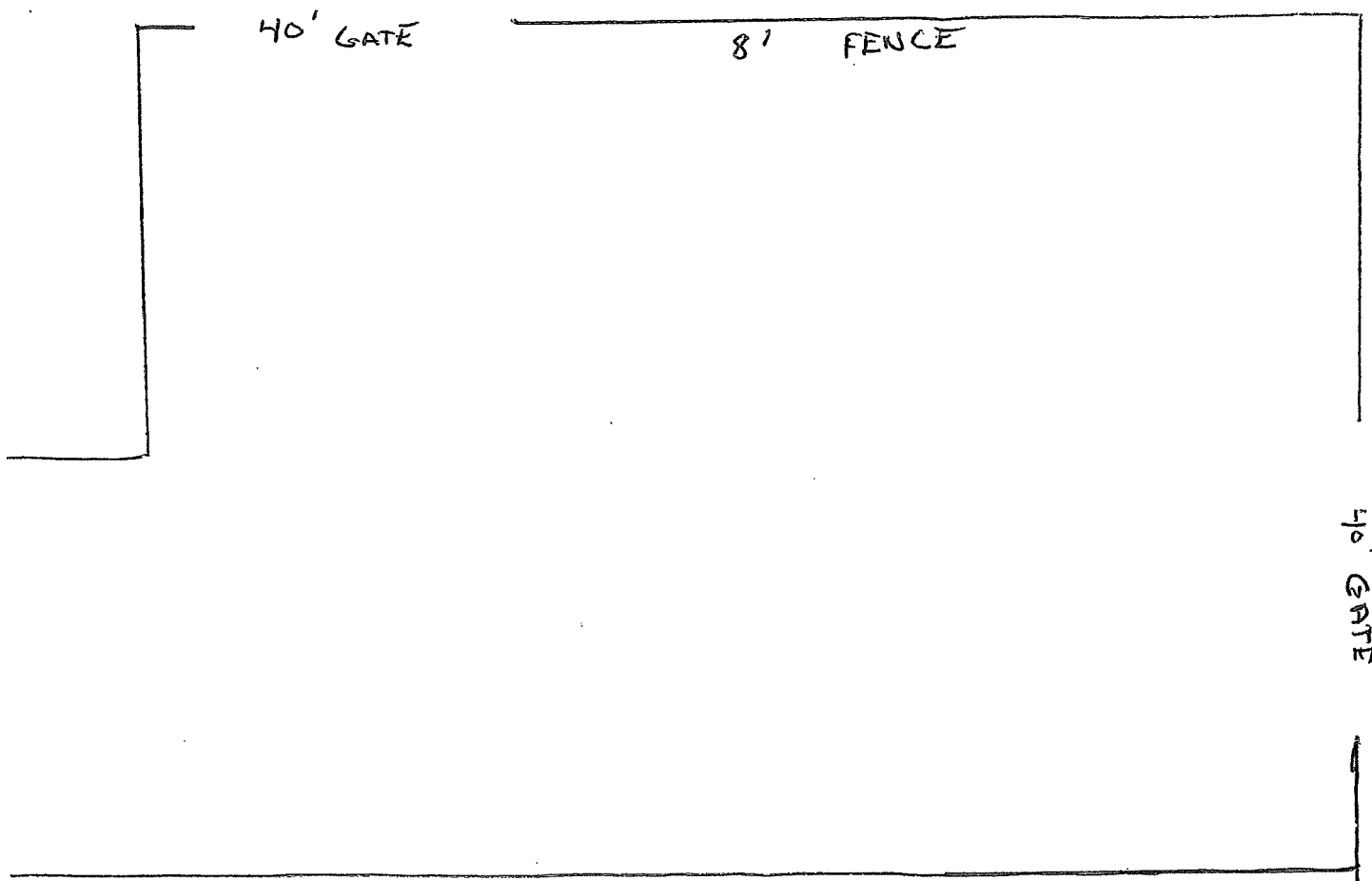
### Valuation

Appraised Assessed (35%)  
Land Value: \$12,500.00 \$4,380.00  
Building Value: \$0.00 \$0.00  
Total Value: \$12,500.00 \$4,380.00  
CAUV Value: \$0.00  
Taxable Value: \$4,380.00

Signature: *Paul Messaros* 5-21-21  
Applicant Date

Please Print Name: Fred MESSAROS

----- JEFFERSON ST. -----



CHRISTOPHER COMPANY LLC  
CHRISTOPHER COMPANY LLC  
COLUMBIA GAS OF OHIO INC  
DUPLEX MILL & MANUFACTURING CO  
FREDERICK MICHAEL MESSAROS  
FREDERICK MICHAEL MESSAROS  
ICP SPRINGFIELD JEFFERSON STREET LLC  
JAMES L & DARLENE L BROWN  
OHIO EDISON COMPANY C/O FIRSTENERGY SERVICE COMPANY

PO BOX 777  
PO BOX 777  
ATTN: TAX DEPARTMENT PO BOX 117  
PO BOX 1266  
2936 REBERT PIKE  
2811 FAIRFIELD PIKE  
6675 PARKLAND BLVD STE 100  
2107 W JEFFERSON STREET  
PO BOX 4747

SPRINGFIELD OH 45501  
SPRINGFIELD OH 45501  
COLUMBUS OH 43216  
SPRINGFIELD OH 45501  
SPRINGFIELD OH 45502  
SPRINGFIELD OH 45502  
SOLOH OH 44139  
SPRINGFIELD OH 45506  
OAK BROOK IL 60522

## **STAFF REPORT**

TO: Board of Zoning Appeals

DATE: June 16, 2021

PREPARED BY: Stephen Thompson

SUBJECT: Case #21-A-27

### **GENERAL INFORMATION:**

Applicant: Fred Messaros, 2811 Fairfield Pike, Springfield, OH 45502

Owner: Fred Messaros, 2811 Fairfield Pike, Springfield, OH 45502

Purpose: For a conditional use permit to reestablish a salvage yard

Location: 2101 W Jefferson St.

Size: 1.11 acres

Existing Land Use and Zoning: Vacant, zoned M-1

Surrounding Land Use and Zoning: North: Manufacturing, M-1  
East: Manufacturing, M-1  
South: Manufacturing, M-1  
West: Residential, M-1

Applicable Regulations: Chapter 1172.05 Board of Zoning Appeals: Conditional Uses  
Chapter 1171.03(c) Nonconforming Uses

File Date: May 21, 2021

### **BACKGROUND:**

The applicant seeks a conditional use permit to re-establish a salvage yard. The property had an active salvage yard license held by the applicant until 2015. Chapter 1171.03(c) allows for the re-establishment of a nonconforming use through the conditional use process.

### **ANALYSIS for Conditional Use:**

In considering an application for a conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures, and the consistency therewith of the proposed use and development. Before authorizing a use as a conditional use, the Board shall review the facts and circumstances of each proposed conditional use in terms of the following standards and shall find adequate evidence showing that the proposed conditional use at the proposed location:

- (1) Would not be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood by reason of noise, smoke, odor, vibration, dust and dirt, cinders, noxious gases, glare and heat, fire and safety hazards, sewage wastes and pollution, transportation and traffic, aesthetic and psychological effects. The Board shall use and give recognition to those performance standards which are available in model codes or ordinances, or have been developed by planning, manufacturing, health, architectural and engineering organizations, and can be applied to the proposed use, to assist it in reaching a fair and objective decision;

*Staff Comment: It would not.*

- (2) Is in fact a conditional use as established under the provisions of this Springfield Zoning Code as eligible to be permitted in the district involved;

*Staff Comment: Yes.*

- (3) Will be harmonious with and in accordance with the general objectives, or with any specific objective of this Springfield Zoning Code;

*Staff Comment: Yes.*

- (4) Will be designed, constructed, operated and maintained as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not change the essential character of the same area;

*Staff Comment: Yes.*

- (5) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

*Staff Comment: Yes.*

- (6) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

*Staff Comment: It will not.*

- (7) Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. Upon authorizing a conditional use, the Board shall impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this Springfield Zoning Code for the particular conditional use, as the Board may deem necessary for the protection of adjacent properties and the public interest.

*Staff Comment: Yes, it does.*

**RETURNED REPORTS FROM STAFF:**

Service/Engineering Department:	Recommend approval
Building Inspections:	Recommend approval
Police Division:	Recommend approval
Fire Department:	Recommend approval
City Manager's Office:	Recommend approval

**STAFF RECOMMENDATION:**

Approval of the conditional use permit.

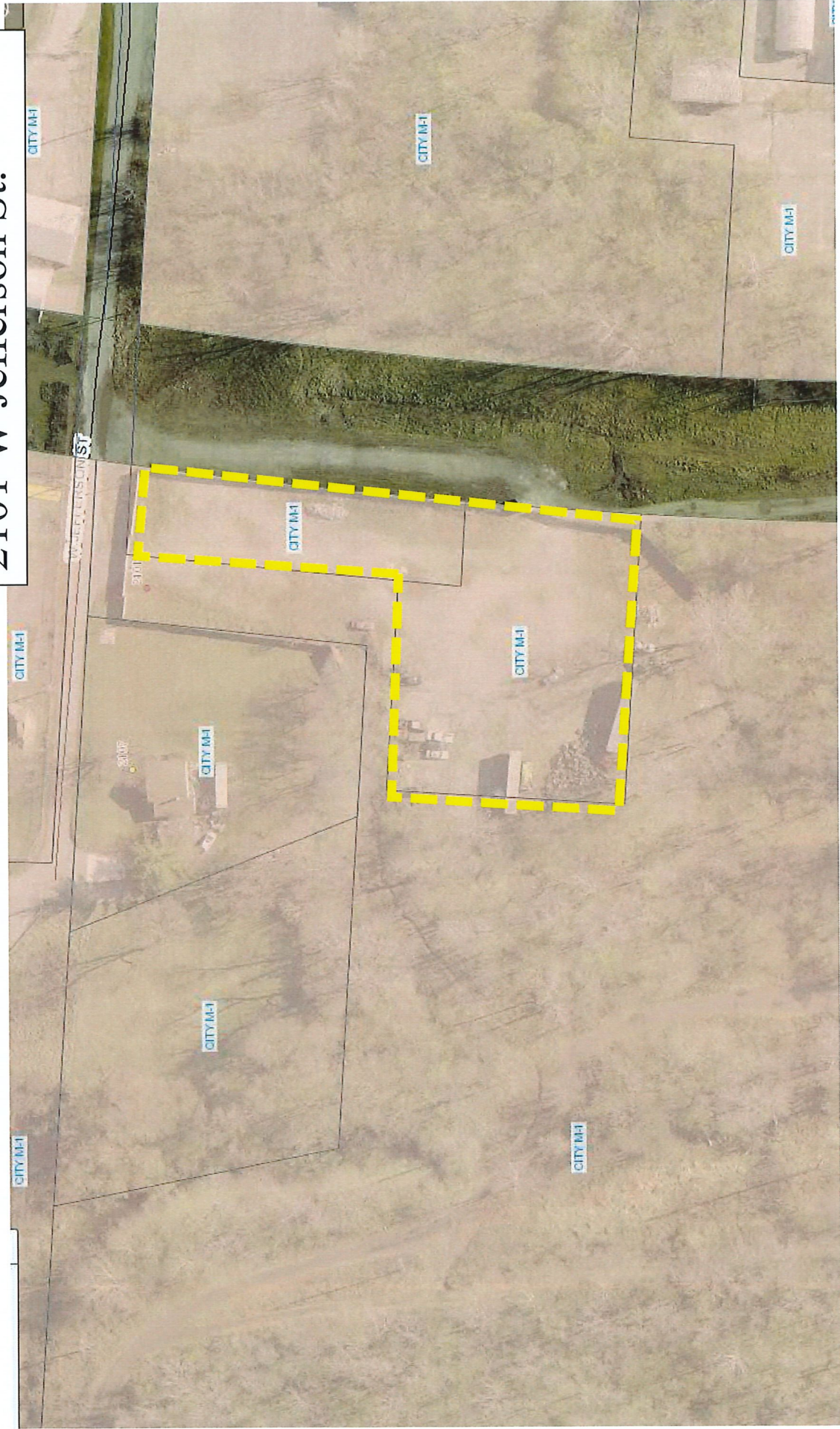
**ATTACHMENTS:**

1. Vicinity and zoning map
2. Application

#21-A-27  
2101 W Jefferson St.



#21-A-27  
2101 W Jefferson St.





# **Agenda Item # 6**

**Case #21-A-28**

**Variance**

**FOR OFFICE USE ONLY**Case #: 21-A-28Date Received: 5/25/21Received by: STApplication Fee: \$ 285

Review Type:

☐ Admin ☐ CPB ☒ BZA**GENERAL APPLICATION****A. PROJECT**1. Application Type & Project Description (*attach additional information, if necessary*):**Revelopment of existing grocery store into outpatient medical facility. Request variance to add additional exterior sign to site.**2. Address of Subject Property: **2300 N. Limestone Street**3. Parcel ID Number(s): **3400300031402011**4. Full legal description attached? ☒ yes ☐ no5. Size of subject property: **4.0099 acres**6. Current Use of Property: **Redevelop as Outpatient Medical Facility (former Grocery Store)**7. Current Zoning of Property: **CC-2****B. APPLICANT**1. Applicant's Status (*attach proof of ownership or agent authorization*) ☒ Owner☐ Agent (*agent authorization required*) ☐ Tenant (*agent authorization required*)2. Name of Applicant(s) or Contact Person(s): **David Nelson**Title: **Director of Construction**Company (if applicable): **Kettering Health, the parent corporation of Kettering Network Services.**

Mailing address:

**3535 Southern Blvd.**City: **Kettering** State: **Ohio** ZIP: **45429**Telephone: ( ) **937.298.4331** Fax: ( )Email **David.Nelson@ketteringhealth.org**

3. If the applicant is agent for the property owner:

Name of Owner (title holder): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

**I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION  
CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR  
KNOWLEDGE.**

*[Signature]*  
Signature of Applicant

\_\_\_\_\_  
Signature of Co-applicant

David Nelson  
Typed or printed name and title of applicant

\_\_\_\_\_  
Typed or printed name of co-applicant

State of Ohio

County of Montgomery

The foregoing instrument was acknowledged before me this 25 day of  
May, 20 21

by David Nelson (name of person acknowledged).

(seal)



*Terra Engelman*  
Notary Public Signature

My commission expires: Aug. 31, 2021

**TERRA ENGELMAN, Notary Public  
In and for the State of Ohio  
My Commission Expires Aug. 31, 2021**



CITY OF SPRINGFIELD  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING & ZONING DIVISION

BOARD OF ZONING APPEALS - VARIANCE APPLICATION

Date: **05.25.2021**

Property address: **2300 Limestone Street, Springfield, Ohio 45503**

Section of the Zoning code applicable: **Chapter 1155 - Sign Requirements**

Purpose of this request, including the improvements or physical changes proposed if this application is approved:

**Approval of additional exterior monument sign on site to properly mark entrances and directions into the site.**

Please include the following exhibits:

**Exhibit A**

A scale drawing with the dimensions of the property including existing and proposed buildings and their distances from lot lines, parking spaces, and adjoining streets and alleys. Please see example site plan. Additional copies may be required as needed.

**Basis for the requested action:** Substantiate the reasons why you feel the Board of Zoning Appeals should grant your request. Be specific (attach additional pages if necessary).

**The additional monument sign is essential to make sure all the public entrances into the emergency response facility site are clearly marked along the street frontage and distinct from any service entrances.**

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An appeal for a variance to the Zoning Code cannot be granted by the Board of Zoning Appeals unless the following factors are shown to exist. Therefore, for each factor explain in detail how each applies to your appeal: (Please write on additional sheets of paper if you need more space).

1. The property in question cannot yield a reasonable return and there can be no beneficial use of the property without the variance. The variance would relieve a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience to the appellant.

**Though added building signs mark emergency and public building entrances the street entrance along E. Home Road is not marked with any existing signage to properly direct patients and emergency vehicles into the site.**

2. The variance is not substantial, i.e. the modification in the requirement that is being requested is not a significant amount in comparison to the requirement.

**All the proposed building and site signs are designed to comply with the sign ordinance in size and sign allowance. The variance is for one requested additional monument sign to mark the only public entrance along E. Home Road. The total amount of sign including the variance is 9.**

3. The essential character of the neighborhood, i.e. adjacent properties, will not be substantially altered or suffer a substantial detriment as a result of the variance.

**The additional requested sign is designed to follow the regulations pertaining to the existing site zoning and sign ordinance. Therefore, it will continue the city's signage intent as written in the Sign Ordinance Chapter 1155.**

4. The variance will not adversely affect the delivery of governmental services such as water, sewer.

**The additional requested sign is not located above any existing utilities such as water/sewer to prevent any conflicts.**

- 
5. The property owner was not aware of the zoning restrictions when purchasing the property.

**The owner was aware of the property sign regulations and used the existing conditions as much as possible to direct traffic flow into the site clearly. Essential Public and Emergency entrances along E. Home Road and N Limestone Street went beyond what existing and stipulated regulations allowed.**

6. There is no other feasible method of solving the property owner's predicament.

The existing signs and allowable sign quantities do not allow for a clear demarcation of all the public and emergency entrances into the site without adding a sign.

7. The spirit and intent behind the zoning requirement will be observed and substantial justice done by granting the variance.

All proposed signs were designed to follow the sign ordinance regulations in size and area to match the design intent of the city sign ordinance Chapter 1155.

I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR KNOWLEDGE.

[Signature]  
Signature of Applicant

\_\_\_\_\_  
Signature of Co-applicant

David Nelson  
Typed or printed name and title of applicant

\_\_\_\_\_  
Typed or printed name of co-applicant

State of Ohio

County of Clark Montgomery

The foregoing instrument was acknowledged before me this 25 day of May, 2021

by David Nelson (name of person acknowledged).

(seal)



[Signature]  
Notary Public Signature

My commission expires: Aug. 31, 2021

TERRA ENGELMAN, Notary Public  
In and for the State of Ohio  
My Commission Expires Aug. 31, 2021

**APPROVED**  
Clark County Tax Map

DEC 04 2019

☒ Legal Description  
☒ Survey Plat / Lotsplit  
☒ Subdivision / Association  
**DEED INADEQUATE  
NEXT TRANSFER  
REQUIRES A SURVEY**

Transferred  
Sale Price no fee

DEC - 4 2019  
4529  
John S. Federer  
Auditor

201900016026 12/04/2019 03:58 PM  
Filed for Record in CLARK County, Ohio  
Nancy Pence, Recorder Rec Fees: \$42.00  
WARR OR Vol 2165 Pgs 2183 - 2185

**LIMITED WARRANTY DEED  
(R.C. 5302.07)**

AMVO LLC, an Ohio limited liability company ("Grantor"), for valuable consideration paid, grants with limited warranty covenants to **KETTERING NETWORK SERVICES**, an Ohio corporation for non-profit ("Grantee"), whose tax mailing address is Kettering Health Network, Attn: Accounts Payable, 1 Prestige Place, Miamisburg, Ohio 45342, an undivided interest in the following real property:

See Exhibit A attached hereto and made a part hereof as if fully rewritten herein.

**PARCEL ID NO.:** 3400300031402011

**COMMONLY KNOWN AS:** 2300 N. Limestone Street, Springfield, Ohio 45503

This conveyance is made expressly subject to all legal highways, easements, restrictions, conditions, and covenants of record, all zoning restrictions, and all taxes and assessments not yet payable, which Grantee assumes and agrees to pay.

**PRIOR INSTRUMENT REFERENCE:** Volume 2161, Pages 4630-4632 of the Official Records of Clark County, Ohio.

**EXECUTED** this 3rd day of December, 2019.

AMVO LLC,  
an Ohio limited liability company

By:   
David H. Montgomery, Authorized Representative

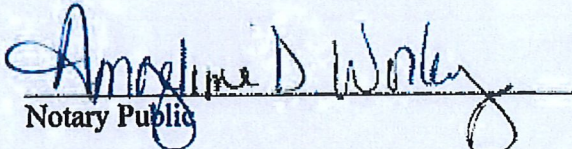
PICKREL SCHAEFFER & EBELING  
2700 KETTERING TOWER  
DAYTON, OH 45423



201900016026  
BK 2165 PG 2184

STATE OF OHIO                     )  
COUNTY OF MONTGOMERY       ) SS:

The foregoing instrument was acknowledged before me this 3rd day of December, 2019, by David H. Montgomery, as Authorized Representative of Grantor, AMVO LLC, an Ohio limited liability company, on behalf of the Company.

  
Notary Public



ANGELINE D. WORLEY, Notary Public  
In and for the State of Ohio  
My Commission Expires Dec. 28, 2019

This Instrument Prepared By: David H. Montgomery, Esq. of Pickrel, Schaeffer & Ebeling, Co., L.P.A.,  
2700 Kettering Tower, 40 North Main Street, Dayton, Ohio 45423-2700. 1LW9524



201900016026  
BK 2165 PG 2185

**EXHIBIT "A"**  
Legal Description

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Situate formerly in the Township of Moorefield, and now annexed to the City of Springfield, in the County of Clark and State of Ohio and bounded and described as follows:

Being part of the Southeast quarter of Section 31, Township 5, Range 10, between the Miami Rivers Survey (Now annexed to the City of Springfield, Ohio). Beginning at a spike in the centerline of Home Road and on the South line of Section 31 at the intersection of said line with the West right of way line of the New York Central Railway; thence with the centerline of the Home Road and the South line of Section 31, North 85° 30' West, 684.95 feet to the centerline of the Urbana Road; thence with the centerline of the Urbana Road, North 4° 38' East, 309.14 feet; thence with the South line of premises conveyed to Christian E. Weber by John G. F. Cook and Ameliz Cook by deed dated August 17, 1929, and recorded in Volume 265, Page 169 Deed Records of Clark County, Ohio, South 85° 30' East, 675.05 feet to a pipe on the West line of the New York Central Railway; thence with said West line, South 2° 48' West, 309.23 feet to the place of beginning. Containing four (4) acres, more or less.

**Excepting therefrom the following described property:**

**Parcel I:**

Situate in the City of Springfield, County of Clark and State of Ohio, and Township of Moorefield, and being part of the West half of the Southeast Quarter of Section 31, Township 5, Range 10, M.R.S. Beginning at the intersection of the East line of Limestone Street with the South line of said quarter section; thence with said quarter section line South 85° 30' East 654.95 feet to the West right-of-way line of the C.C.C. & St. Louis Railroad, thence with said West line North 2° 48' East 40.01 feet to a point; thence North 85° 30' West, parallel with the South line of said quarter section, 653.7 feet to the East line of Limestone Street; thence with said East line South 4° 38' West 40 feet to the place of beginning, containing 0.60 of an acre.

**Parcel II:**

Situate in the City of Springfield, County of Clark and State of Ohio and Township of Moorefield and being a one foot strip North of and adjacent to the above described 40 foot strip and running from the West right-of-way line of the C.C.C. and St. Louis Railroad West 100 feet. Said one foot strip being conveyed for control of vehicular access onto Home Road.

Vol. 30  
Pg. 93APPROVED  
Clark County Tax Map

VANATTAENGINEERINGINC

570 Congress Park Dr • Dayton, OH 45459 • P 937.438.5650 F 937.438.5645

OCT 19 2020

☒ Legal Description  
☒ Survey Plat - Lotsplit  
☐ Subdivision - Annexation

October 16, 2020

**KETTERING NETWORK SERVICES  
TRACT 1 – 3.948 ACRES**

LOCATED IN SECTION 31, TOWN 5, RANGE 10 M.Rs., CITY OF SPRINGFIELD, COUNTY OF CLARK, STATE OF OHIO AND BEING PART OF THAT 4 ACRE TRACT AS CONVEYED TO KETTERING NETWORK SERVICES BY THE DEED RECORDED IN O.R. 2165, PG. 2183 OF THE OFFICIAL RECORDS OF SAID COUNTY AND BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT A MONUMENT BOX FOUND AT THE INTERSECTION OF THE CENTERLINES OF NORTH LIMESTONE STREET AND EAST HOME ROAD, SAID POINT ALSO LYING ON THE SOUTH LINE OF SAID SECTION 31 AND BEING THE SOUTHWEST CORNER OF SAID 4 ACRE PARCEL;

THENCE WITH THE CENTERLINE OF NORTH LIMESTONE STREET AND THE WEST LINE OF SAID 4 ACRE PARCEL NORTH 05°28'43" EAST, 309.10 FEET TO THE NORTHWEST CORNER OF SAID 4 ACRE PARCEL AND THE SOUTHWEST CORNER OF THAT LAND AS CONVEYED TO COUNTRY VILLAGE, LLC BY THE DEED RECORDED IN O.R. 1855, PG. 1027 OF THE OFFICIAL RECORDS OF SAID COUNTY;

THENCE LEAVING THE CENTERLINE OF NORTH LIMESTONE STREET WITH THE NORTH LINE OF SAID 4 ACRE PARCEL AND THE SOUTH LINE OF SAID COUNTRY VILLAGE, LLC LAND, SOUTH 84°39'17" EAST, 40.00 FEET TO AN IRON PIPE FOUND IN GOOD CONDITION ON THE EAST RIGHT OF WAY OF NORTH LIMESTONE STREET AND THE TRUE POINT OF BEGINNING OF THE TRACT HERIN DESCRIBED;

THENCE CONTINUING WITH THE NORTH LINE OF SAID 4 ACRE PARCEL AND THE SOUTH LINE OF SAID COUNTRY VILLAGE, LLC LAND SOUTH 84°39'17" EAST, 635.05 FEET TO AN IRON PIPE FOUND IN GOOD CONDITION AT THE NORTHEAST CORNER OF SAID 4 ACRE PARCEL, THE SOUTHEAST CORNER OF SAID COUNTRY VILLAGE, LLC LAND AND A POINT ON THE WEST LINE OF THAT LAND AS CONVEYED TO

THE CITY OF SPRINGFIELD, OHIO BY THE DEED RECORDED IN O.R. 1261, PG. 157,  
OF THE OFFICIAL RECORDS OF SAID COUNTY ;

THENCE WITH THE EAST LINE OF SAID 4 ACRE PARCEL AND THE WEST LINE OF  
SAID THE CITY OF SPRINGFIELD, OHIO LAND SOUTH 03°38'43" WEST, 268.22 FEET  
TO A 5/8" IRON PIN SET CAPPED VAN ATTA # 7354 ON THE NORTH RIGHT OF WAY  
LINE OF EAST HOME ROAD;

THENCE WITH THE NORTH RIGHT OF WAY LINE OF EAST HOME ROAD THE  
FOLLOWING COURSES, NORTH 84°39'17" WEST, 100.00 FEET TO A 5/8" IRON PIN SET  
CAPPED VAN ATTA # 7354;

THENCE SOUTH 05°20'43" WEST, 1.00 FEET TO A 5/8" IRON PIN SET CAPPED VAN  
ATTA # 7354;

THENCE NORTH 84°39'17" WEST, 543.63 FEET TO A 5/8" IRON PIN SET CAPPED VAN  
ATTA # 7354 ON THE WEST RIGHT OF WAY LINE OF NORTH LIMESTONE STREET;

THENCE WITH THE WEST RIGHT OF WAY LINE OF NORTH LIMESTONE STREET  
NORTH 05°28'43" EAST, 269.10 FEET TO THE TRUE POINT OF BEGINNING  
CONTAINING 3.948 ACRES MORE OR LESS SUBJECT HOWEVER TO ALL LEGAL  
HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

NOTE: BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NAD 83 OHIO STATE PLANE  
COORDINATE SYSTEM, GRID SOUTH ZONE 3402, GEOID 2012A.

NOTE: THIS DESCRIPTION IS BASED ON AN ACTUAL FIELD SURVEY IN APRIL 2019 UNDER  
MY DIRECT SUPERVISION, JEFFREY A. VAN ATTA, REGISTERED PROFESSIONAL  
SURVEYOR NUMBER 7354 OF THE STATE OF OHIO AND THAT ALL MONUMENTS FOUND  
OR SET, CORRECTLY REPRESENTS THE BOUNDARIES HEREIN DESCRIBED.



*Jeffrey A. Van Atta*  
JEFFREY A. VAN ATTA, PS #7354

*10/16/2020*  
DATE

prepared for:



**Springfield Medical Center**  
2300 N Limestone St  
Springfield, OH  
Exterior Signage

submitted for:  
**Kettering Health**  
Construction Management

submission dates:  
May 25, 2021

## Exterior Signage Zoning Submittal

May 25, 2021

KH2048 | Springfield Campus Signage

### Drawing Directory

#### EXTERIOR SIGNAGE

Z.01 Zoning Code Designation and Parcel Outline

LP SITE OUTLINE AND PROPOSED SIGNAGE

1.00 EXISTING PYLON SIGN CONDITIONS

1.01 RETROFIT EXISTING PYLON SIGN

2.01 FOUNDATION MONUMENT SIGN ZONING REGULATIONS

2.02 FOUNDATION MONUMENT SIGN LOCATION & LANDSCAPE REFERENCE

2.03 FOUNDATION MONUMENT SIGN LOCATION RENDERINGS

3.00 WEST ELEVATION SIGNAGE

3.01 WEST ELEVATION CANOPY DETAILS

4.00 BUILDING IDENTIFICATION SIGN

5.00 AMBULANCE CANOPY

6.00 NORTH ELEVATION SIGNAGE

6.01 NORTH ELEVATION SIGN DETAILS

9.00 FOUNDATION MONUMENT SIGN

prepared by:

design  
that moves  
people



513.421.1773 513.421.1774 people@swathdesign.com

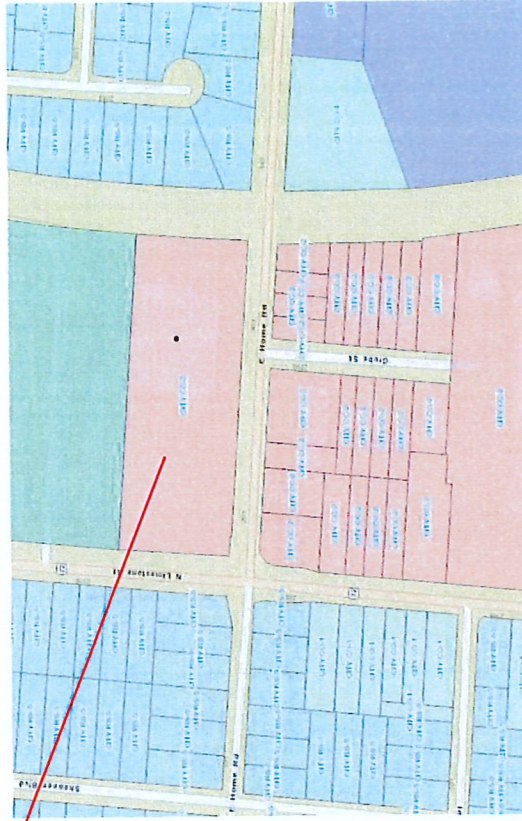
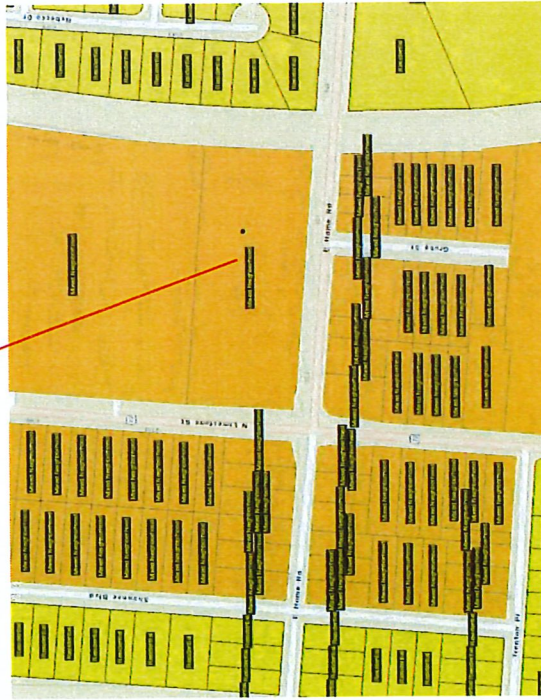
# Kettering Health Springfield Medical Center: 2300 N Limestone St, Springfield, OH 45503

## SITE

**Parcel:**  
340030003140

**Zoning:**  
Class C  
CC-2 Community  
Commercial District

**Sign Zoning Overlay:**  
Mixed Neighborhood



design  
traces  
people  
swath

30 yardly place  
sue 1020  
cincinnati, ohio 45202  
513.421.1773  
people@swathdesign.com

**PROJECT** KH2048.04  
Kettering Springs  
Springfield Medical Center  
jenna.smith  
jenna@swathdesign.com

**PERMITS** KH2048.4 Springfield  
MC Zoning Submittal  
jenna  
jenna

**DATE/REVISIONS**  
05/25/21

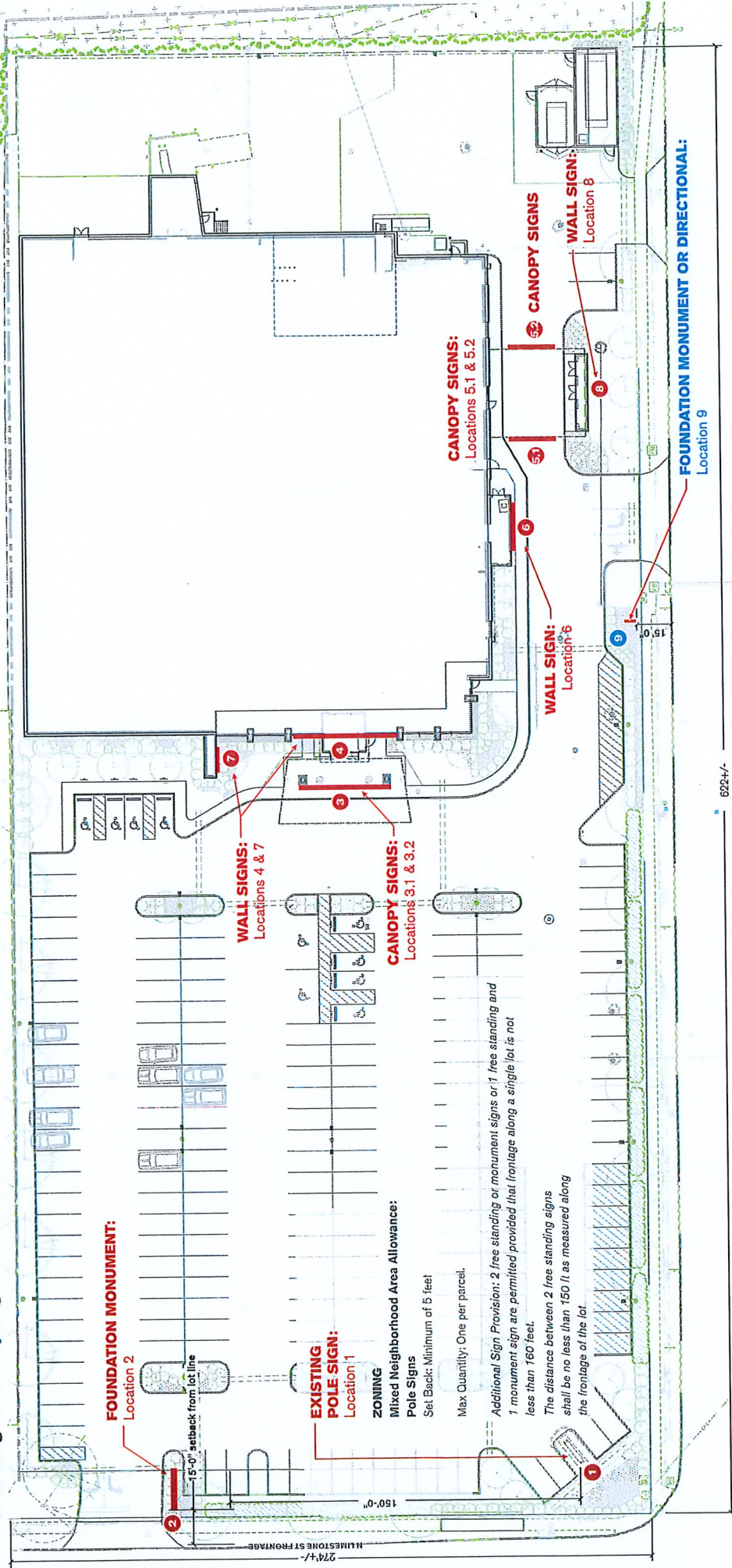
**OWNER/CONTACT**  
David A. Nelson, MSCE, PE  
Director, Construction Management  
Kettering Health Network  
857.393.6867 X 36067

KetteringHEALTH

Design Development Drawings  
Zoning  
Code Designation Outline  
Z.01  
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any other purpose. The user assumes all  
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incomplete information. The user is not to be  
held responsible for any damages or  
injuries resulting from the use of these  
drawings.

# Kettering Health Springfield Medical Center: 2300 N Limestone St, Springfield, OH 45503



Plan: Sign Locations	1
Scale: 1" = 40'-0"	LP

● Indicates Non Compliance

design that moves people

38 Springfield place  
at 1020  
cincinnati, ohio 45202  
513.421.1773  
people@swathsign.com

PROJECT: KHS0404.04  
Kettering Signage  
Springfield Medical Center  
Jana Smith  
jana@swathdesign.com

DESIGNER/CONSULTANT:  
David A. Nelson, MSCE, PE  
Director, Construction Management  
Kettering Health Network  
937.396.6087 X 10007

DATE/REVISIONS:  
06/16/21

DATE/REVISIONS:  
06/16/21

DATE/REVISIONS:  
06/16/21

Design Development Drawings  
Sign Locations  
Site Location Outline

LP

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Kettering Health Springfield Medical Center: 2300 N Limestone St, Springfield, OH 45503

PLYON SIGN LOCATION & ZONING OUTLINE

EXISTING  
FREESTANDING POLE: Location 1

Reference of Existing  
Square Footage per side: 135'  
Signage Allowable Area: 150 square feet total, plus bonus for large lots  
Total Allowable: 248 (total existing 270)

**ZONING**  
1155.04 SPECIFIC SIGNS REQUIRING A PERMIT  
The following specific signs may be erected in accordance with the requirements of Section 1155.06. Integral signs existing prior to the adoption of these regulations shall not be applied toward the maximum sign area allowance for the building into which they are incorporated.

**Mixed Neighborhood Area Allowance:**  
**Pole Signs**  
Area Allowance: One square foot per foot of lot frontage.  
Maximum Area: 150 sq ft/75 sq ft per side  
Area Bonus for Large Lots: Additional square foot for each two linear feet of frontage in excess of 200 feet  
(This location has an approximate frontage total of 896, making the allowable square footage of 248)

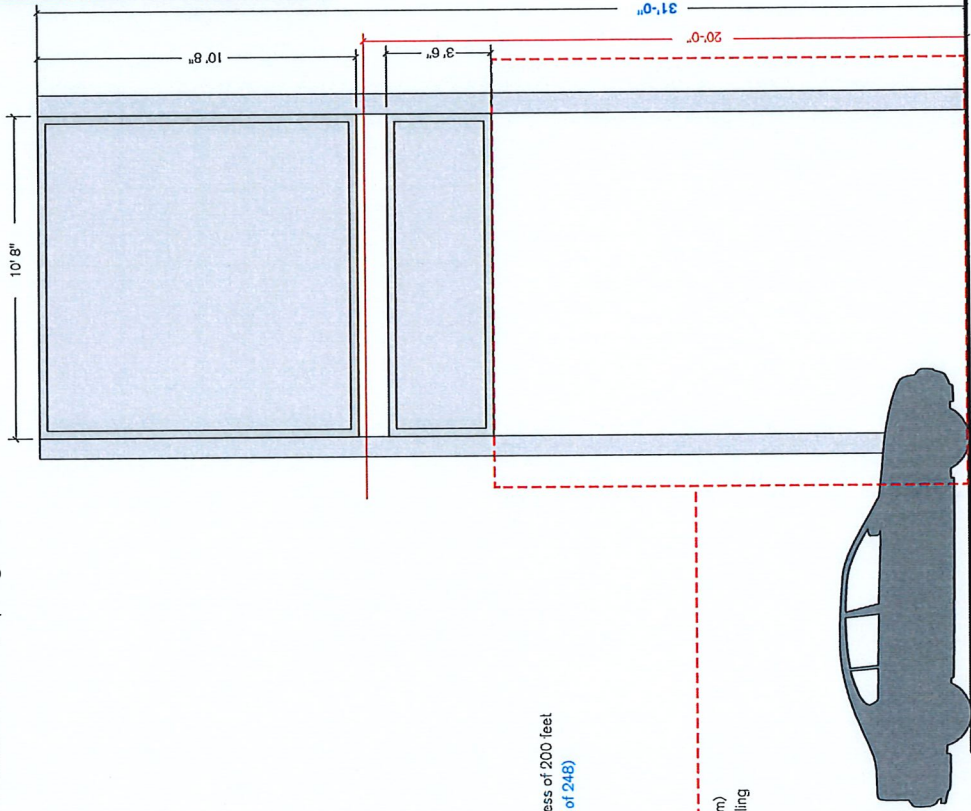
Max Height: 20 feet

Set Back: Minimum of 5 feet

Area Bonus, Design option 1: Additional .25 sq ft of area per linear foot of frontage for brick or stone construction materials for base and/or framing (50% brick or stone minimum)  
Area Bonus, Design Option 2: Additional .25 sq ft per linear frontage for architectural detailing  
Max Quantity: One per parcel.

**Additional Sign Provision:** 2 free standing or monument signs or 1 free standing and 1 monument sign are permitted provided that frontage along a single lot is not less than 160 feet.

The distance between 2 free standing signs shall be no less than 150 ft as measured along the frontage of the lot



Sign Elevation: Conditions of Existing Pole Sign	1	1.00
Scale: 1/4" = 1'-0"		

Indicates Non Compliance



design  
by  
people

30 parkfield place  
suite 1020  
cincinnati, ohio 45202  
616.421.1773  
616.421.1774  
people@swathdesign.com

PROJECT: KH0404.04  
Kettering Signage  
Springfield Medical Center

DESIGNED BY: jana.smith  
jama@swathdesign.com

DATE REVISED: 05.05.21

CONTACT: David A. Nelson, MSCE, PE  
Director, Construction Management  
Kettering Health Network  
507.596.6607 x 35067

1.00  
Design Development Drawings  
Existing Pole Sign  
Location Elevation

swath Design, LLC

Kettering Health Springfield Medical Center: 2300 N Limestone St, Springfield, OH 45503

## PYLON SIGN CONSTRUCTION & ZONING

### RETROFIT TO EXISTING FREESTANDING POLE: Location 1

Reface, add architectural and brickwork details drawn from the building.

**Square Footage per side: 135'**

Signage Allowable Area: 150 square feet total, plus bonus for large lots  
Total Allowable: 248 (total existing 270)

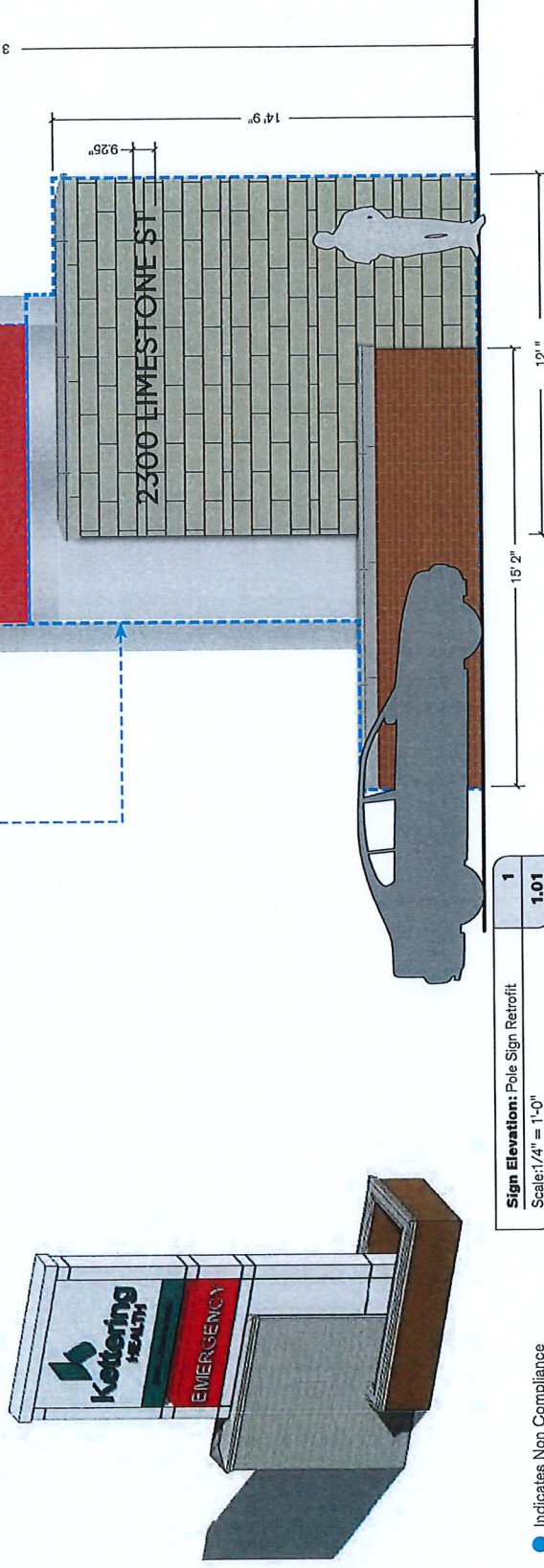
**Area Bonus for Design options: 224 sq ft**

**Square Footage shown here is 262 sq ft per side**

### ZONING

Area Bonus, Design option 1: Additional .25 sq ft of area per linear foot of frontage for brick or stone construction materials for base and/or framing (50% brick or stone minimum)

Area Bonus, Design Option 2: Additional .25 sq ft per linear frontage for architectural detailing



Sign Elevation: Pole Sign Retrofit

Scale: 1/4" = 1'-0"

1  
1.01

Indicates Non Compliance

30 northfield place  
suite 1020  
cincinnati, ohio 45202  
513.421.1773  
513.421.1774  
people@swathsigns.com



**PROJECT:** KH2048.04  
Kettering Signage  
Springfield Medical Center  
jenna.smith  
jenna@zrathdesign.com

**DATE/REVISIONS:**  
06/26/21

**OWNER/CONTACT:**  
David A. Nelson, MSCE, PE  
Director, Construction Management  
Kettering Health Network  
937.353.6507 x 18507

**CREATED BY:** jenna



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Design Development Drawings  
Re-clad Existing Pole Sign  
Location Elevation  
1.01  
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Kettering Health Springfield Medical Center: 2300 N Limestone St, Springfield, OH 45503

FOUNDATION MONUMENT SIGN ZONING

FOUNDATION MONUMENT: Location 2

Internally illuminated double faced sign cabinet

Square Footage: per side 57' - 12"

Signage Allowable Area: 100 square feet total, plus bonus for large lots (37 sq ft on E Limestone St)=137.5 sq ft total 68.5 per side

Sign Height: 7'- 3"

Signage Allowable Height: 10 ft, with allowable bonuses for the set back

ZONING

Mixed Neighborhood Area Allowance  
Foundation Monument:

Area Allowance: 1.5 square foot per foot of lot frontage.

Maximum Area: 100 sq ft/ 50 sq ft per side

Maximum Area with bonuses: 150 sq ft/75 sq ft per side

Area Bonus for Large lots: Additional 1 square foot to total area for each 2 lineal feet of lot frontage in excess of 200 ft

Max Height: 6 feet

Max Height with Bonuses: 10 feet

Set Back: Minimum of 5 feet, out of line of sight

Height Bonus for Setback: Additional 1 ft in height for each additional 2 linear feet setback from property line in excess of 5 ft.

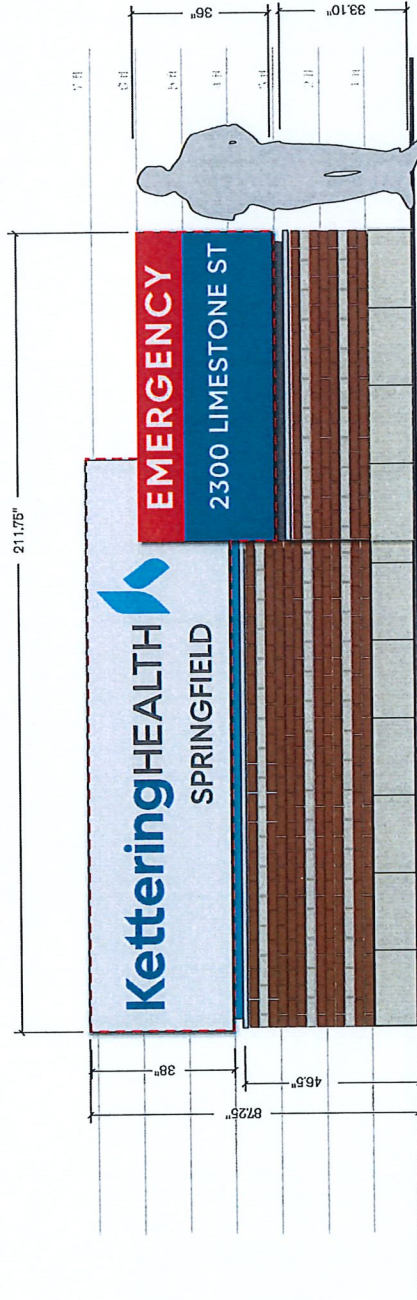
Design Standards: Requires Continuous Footer Foundation

Area Bonus for Design: Additional five square feet per side for brick or stone construction materials for base and/or framing (50% brick or stone minimum)

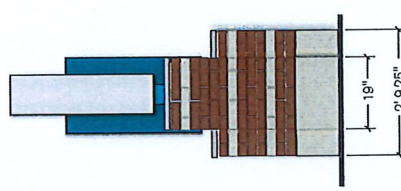
Height Bonus for Design: Additional 1 ft of height for architectural detailing

Max Quantity: 1 sign per parcel

Additional Sign Provision for large lots: 2 signs are permitted provided that frontage along a single lot is not less than 150 ft. The distance between two freestanding signs shall be no less than 150 ft as measured along the frontage of the lot




Sign Elevation: North Face of Monument Sign Dimension Details  
Scale: 3/8" = 1'-0"



Side View: Monument  
Scale: 3/8" = 1'-0"

Indicates Non Compliance



design  
that moves  
people  
forward

300 Springfield place  
suite 1020  
cincinnati, ohio 45202  
513.421.1773  
513.421.1774  
people@swathsign.com

ARTICLE: K4204.04

USE: Kettering Signage

DATE: 11/20/18

PROJECT: Kettering Health Springfield Medical Center

DESIGNED BY: jana.smith

DATE: 11/20/18

DESIGNED BY: jana

OWNER/CONTACT: David A. Nelson, MSCE, PE  
Director, Construction Management  
Kettering Health Network  
937.395.6887 X 8808

DATE/REVISIONS: 05/05/21

OWNER/CONTACT: David A. Nelson, MSCE, PE  
Director, Construction Management  
Kettering Health Network  
937.395.6887 X 8808

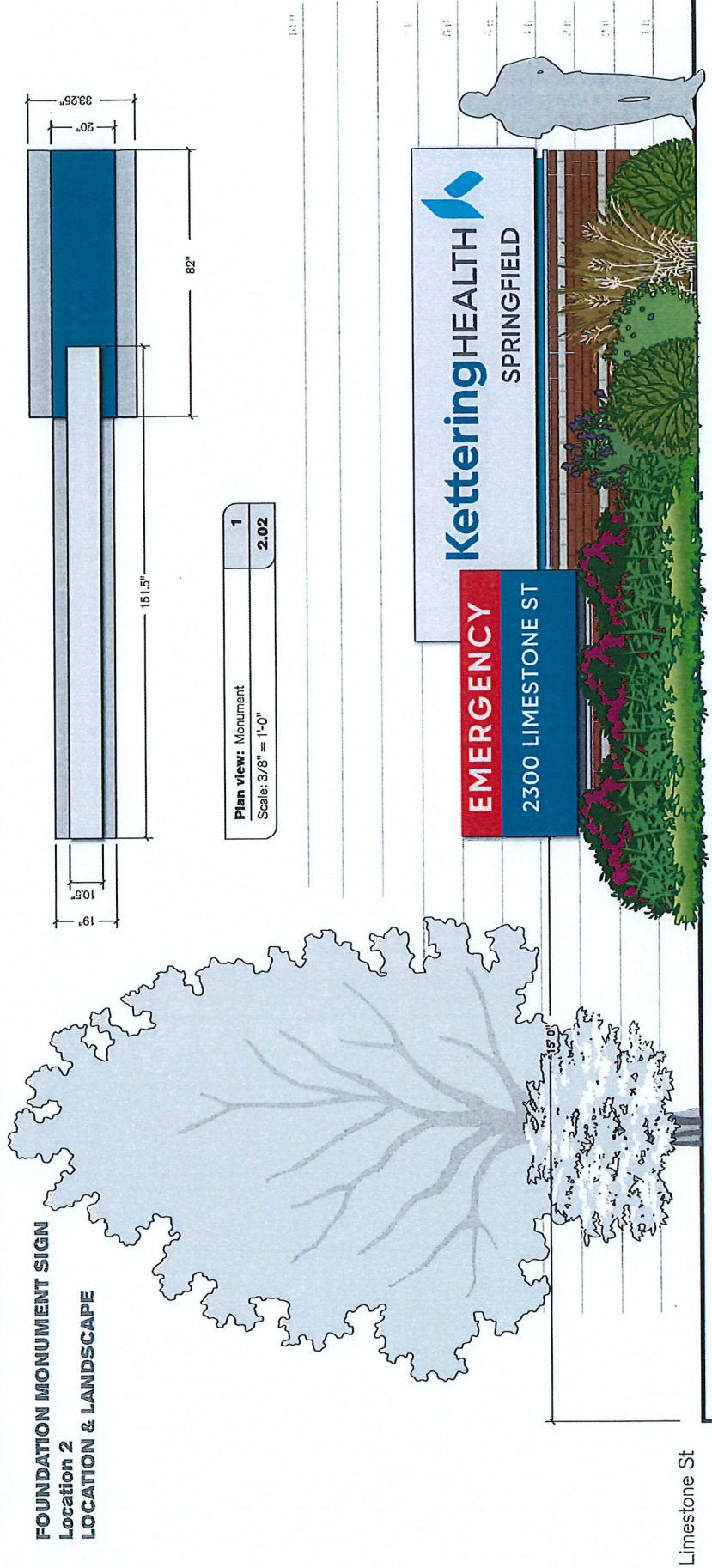
Design Development Drawings  
Foundation Monument Sign  
Location Elevation

2.01

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# Kettering Health Springfield Emergency: 2300 N Limestone St, Springfield, OH 45503

## FOUNDATION MONUMENT SIGN Location 2 LOCATION & LANDSCAPE



Sign Elevation: South Face of Monument Sign with landscape reference	2
Scale: 3/8" = 1'-0"	2.02

design

moves

people

swath

30 arfield place

cincinnati, ohio 45202

513.421.1773

513.421.1774

people@swathdesign.com

PROJECT

KH2004B.04

Kettering Springs

Springfield Medical Center

jana.smith

jana@swathdesign.com

LIFE CYCLE

KH2004B.4

Springfield

MC\_ZoningSubmittal

created by:

jana

DATE/REVISIONS

05/05/21

GENERAL CONTACT

David A. Nelson, USCE, PE

Director, Construction Management

Kettering Health Network

857.356.6367 X.6667

KetteringHEALTH

Design Development Drawings

Foundation Monument Sign

Location Elevation

2.02

Swath Design, LLC

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# Kettering Health Springfield Medical Center: 2300 N Limestone St, Springfield, OH 45503

## FOUNDATION MONUMENT SIGN Location 2 LOCATION & VISIBILITY

Traveling North



Traveling South



design  
that moves  
people

**swath**

3000 N. Limestone St.  
Springfield, OH 45503  
cincinnati, ohio 45202  
513.421.1773  
people@swathsign.com

**PROJECT:** KHS-04-04  
Kettering Springs  
Springfield Medical Center  
jenna south  
jenna@khsdesign.com

**DESIGNER:** KHS-04-04  
Kettering Springs  
Springfield Medical Center  
MC\_Zoning/Signage  
jenna south  
jenna@khsdesign.com

**DATE/REVISION:**  
05.05.21

**OWNER/COUNCIL:**  
David A. Nelson, MSCE, PE  
Director, Construction Management  
Kettering Health Network  
937.395.6887 X 8808

**KetteringHEALTH**

Design Development Drawings  
Foundation Monument Sign  
Location Rendering

**2.03**

Swath Design, LLC

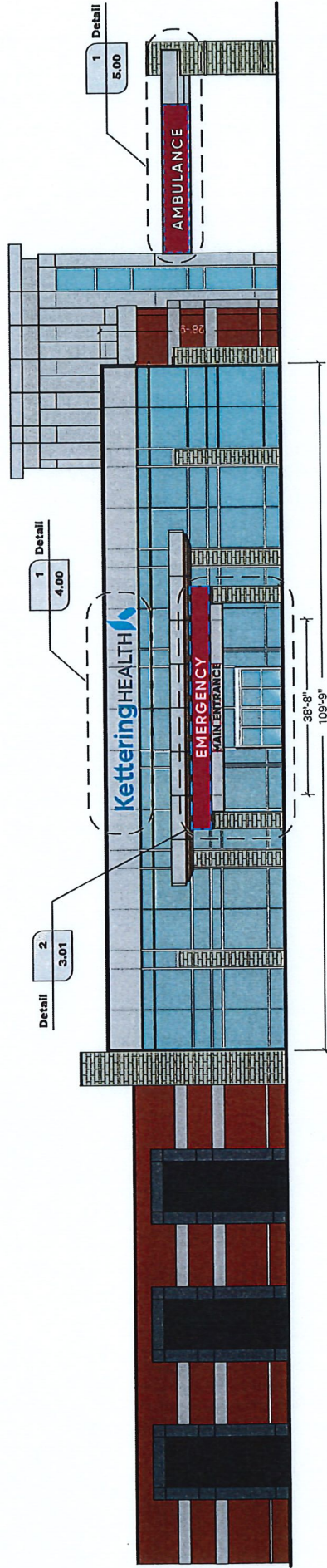
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the user. Swath Design, LLC is not responsible for ADA  
compliance.

Kettering Health Springfield Medical Center: 2300 N Limestone St, Springfield, OH 45503

## SIGN LOCATIONS & ZONING

**ZONING**  
Mixed Neighborhood Area Allowance Wall Signs:  
15% of the wall on which they are applied.  
Max Height: Roof line.  
Max Quantity: No maximum number.

**WALL SIGN: Location 4**  
**LOGO BUILDING ID**  
Internally illuminated, face lit, dimensional letters mounted to facade  
**Signage Footage: 89'-20"**  
**Signage Allowable Area: 450 square feet of approx. 3,000 total square feet of wall area**



**ZONING**  
Canopy Signs Mixed Neighborhood Area Allowance:  
25% of the canopy or awning on which they are applied.  
Max Height: Roof line.  
Max Quantity: No maximum number.

**CANOPY SIGN: Location 3.1**  
**EMERGENCY**  
Sign Cabinet mounted to canopy, entire face lights red  
**Square Footage: 117'-64"**  
**Signage Allowable Area: 359 square feet of approx. 1439 total square feet of canopy area**

**CANOPY SIGN: Location 3.2**  
**MAIN ENTRANCE**  
Halo lit dimensional letters mounted to canopy  
**Square Footage: 17'-64"**  
**Signage Allowable Area: 17.5 square feet of approx. 70 total square feet of canopy area**

**CANOPY SIGNS: Locations 5.1 & 5.2**  
**AMBULANCE**  
Sign Cabinet mounted to canopy, entire face lights red  
Mounted to canopy (repeats on opposite side)  
**Square Footage: 87'-83.25"**  
**Signage Allowable Area: 347 square feet of approx. 1388.57 total sq ft of canopy coverage area**

<b>Elevation: Main Entrance, Front (West)</b>	<b>1</b>
<b>Scale: 1/16" = 1'-0"</b>	<b>3.00</b>

● Indicates Non Compliance

design that moves people

swath

319 southfield place  
suite 1020  
cincinnati, ohio 45202  
513.421.1773  
513.421.1774  
info@swathdesign.com

PROJECT

KH2004.04  
Kettering Signage  
Springfield Medical Center  
jane.smith  
jane@swathdesign.com

DESIGNER

KH2004.04  
Kettering Signage  
Springfield Medical Center  
MC\_Zoning&Signage  
jane.smith  
jane@swathdesign.com

DATE/CONTACT

David A. Nelson, JUSCE, PE  
Director, Construction Management  
Kettering Health Network  
857.395.6587 X 58087

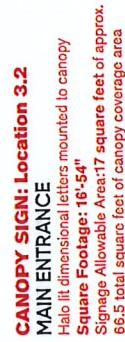
Design Development Drawings

West Elevation Signs on Building

Location Elevation

3.00

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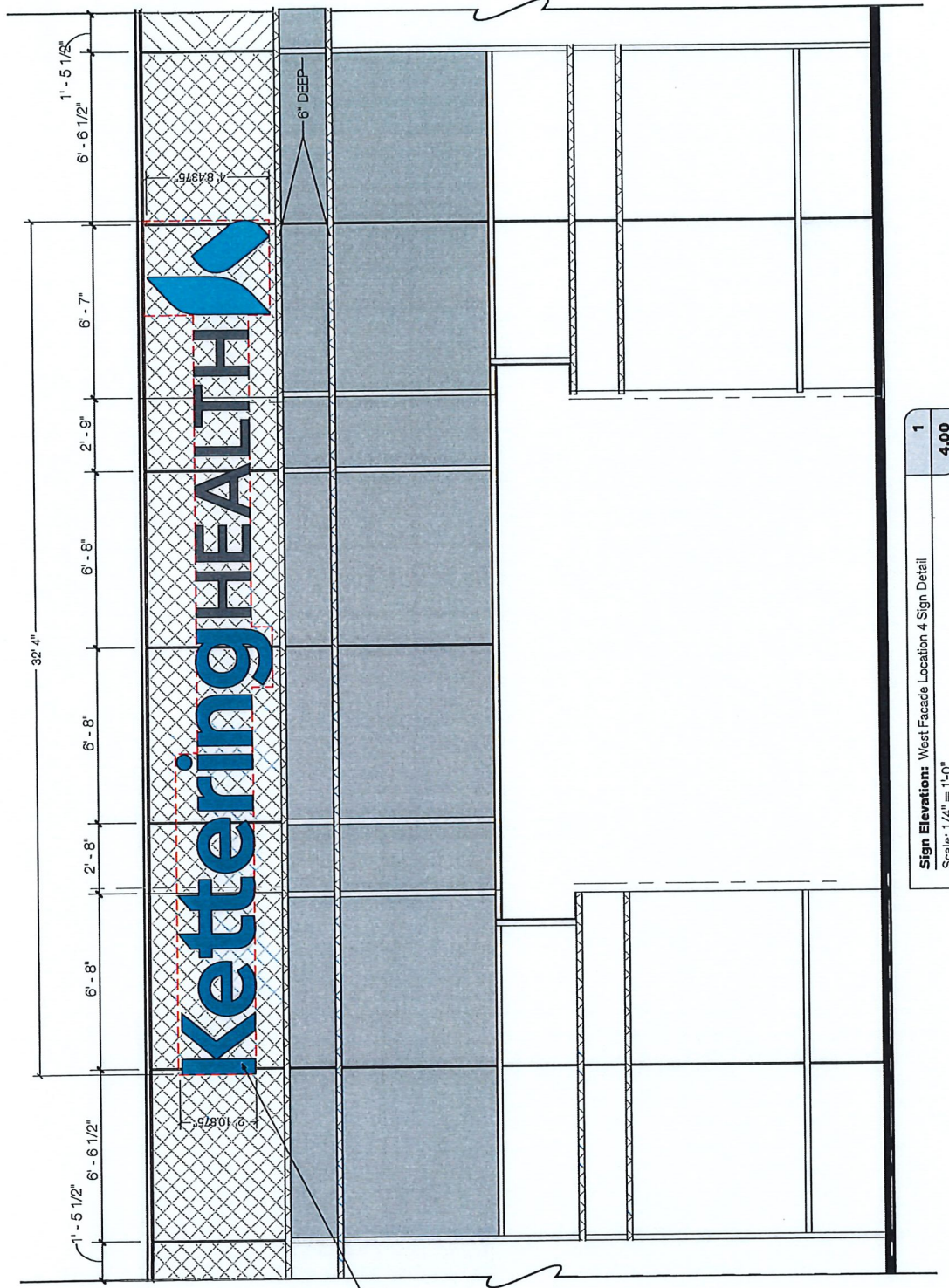


<b>Sign Elevation:</b> West Canopy Sign Locations 3.1 & 3.2 Detail	<b>1</b>
Scale: 1/4" = 1'-0"	<b>3.01</b>

[illegible]

**WALL SIGN: Location 4**  
**LOGO BUILDING ID**  
 Internally illuminated, face lit,  
 dimensional letters mounted to facade  
**Square Footage: 90'-20"**  
 Signage Allowable Area: 450 square feet of  
 approx. 3,000 total square feet of wall area

Face Lit Channel Letters  
 Returns are Painted Aluminum to match  
 PWS Cool Gray 10



**1**  
**4.00**  
 Sign Elevation: West Facade Location 4 Sign Detail  
 Scale: 1/4" = 1'-0"

design that moves people

30 Springfield Plaza  
 Suite 1020  
 Cincinnati, Ohio 45202  
 813.421.1773  
 813.421.1774  
 people@swathsign.com

**PROJECT**

KH2044.04  
 Kettering Springs  
 Springfield Medical Center  
 jana@kettering.com  
 jana@swathsign.com

**DATE**

10/20/2020

**DESIGNER**

David A. Nelson, MSCE, PE  
 Director, Construction Management  
 Kettering Health Network  
 357.356.6867 X 38007

**CONTRACT**

10/20/2020

**DATE**

05/06/21

**DESIGNER**

David A. Nelson, MSCE, PE  
 Director, Construction Management  
 Kettering Health Network  
 357.356.6867 X 38007

**CONTRACT**

10/20/2020

**DATE**

05/06/21

**DESIGNER**

David A. Nelson, MSCE, PE  
 Director, Construction Management  
 Kettering Health Network  
 357.356.6867 X 38007

**CONTRACT**

10/20/2020

**DATE**

05/06/21

**DESIGNER**

David A. Nelson, MSCE, PE  
 Director, Construction Management  
 Kettering Health Network  
 357.356.6867 X 38007

**CONTRACT**

10/20/2020

**DATE**

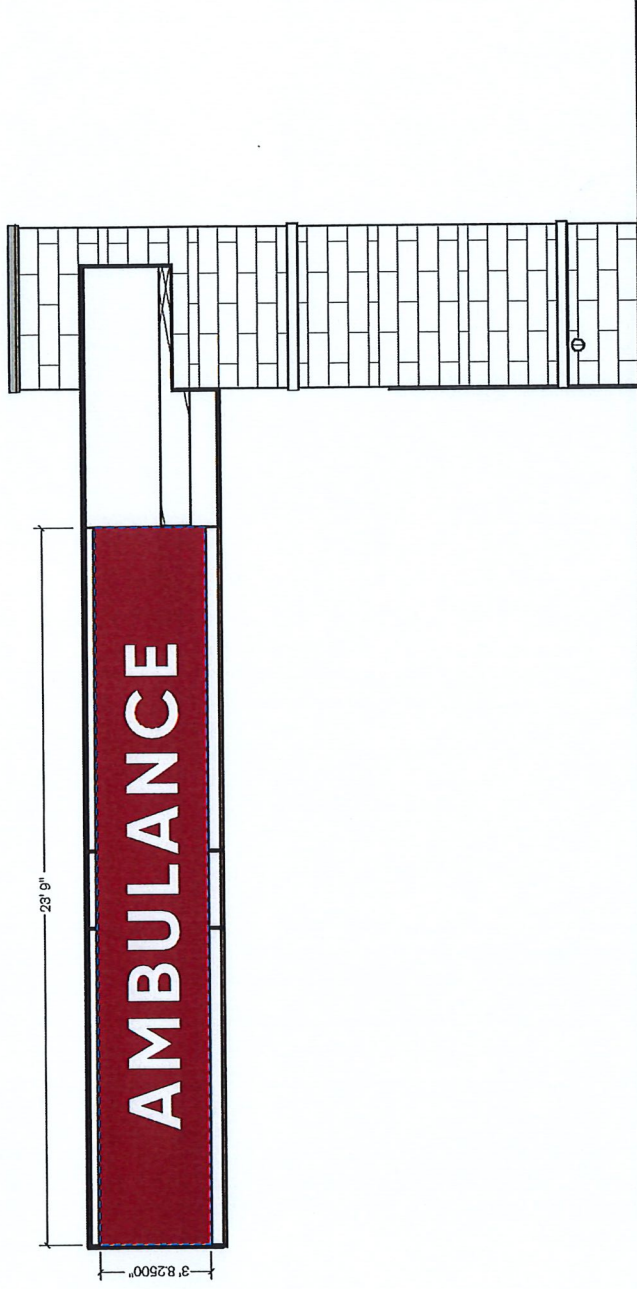
05/06/21

**DESIGNER**

David A. Nelson, MSCE, PE  
 Director, Construction Management  
 Kettering Health Network  
 357.356.6867 X 38007

Design Development Drawings  
**Signs on Building**  
 Detail Elevation  
 4.00  
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**CANOPY SIGNS: Locations 5.1 & 5.2**  
**AMBULANCE**  
 Sign Cabinet mounted to canopy, entire face lights red  
 Mounted to canopy (repeats on opposite side)  
**Square Footage: 87'-83.25"**  
**347 square feet of approx. 1388.57 total sq ft of canopy coverage area**

<b>Typical Sign Elevation:</b> Ambulance Canopy Sign Locations 5.1 & 5.2 Detail	
Scale: 1/4" = 1'-0"	<b>1</b> <b>5.00</b>



design  
that  
moves  
people

319 Springfield Plaza  
Suite 1020  
Cincinnati, Ohio 45202  
 513.421.1773  
 513.421.1774  
 people@swathsign.com

**PROJECT** **KH2048.04**  
 Kettering Signage  
 Springfield Medical Center  
 Springfield, Ohio  
 jenna.smith  
 jenna@swathsign.com

**DATE** **05/05/21**  
 05/05/21

**OWNER/CONTACT**  
 David A. Nelson, MSCE, PE  
 Director, Construction Management  
 Kettering Health Network  
 931.385.6887 X 98087



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**Design Development Drawings**  
**Signs on Building**  
**Detail Elevation**  
**5.00**  
 © Swath Design, LLC

# Kettering Health Springfield Medical Center: 2300 N Limestone St, Springfield, OH 45503

## SIGN LOCATIONS & ZONING

### WALL SIGN: Location 7

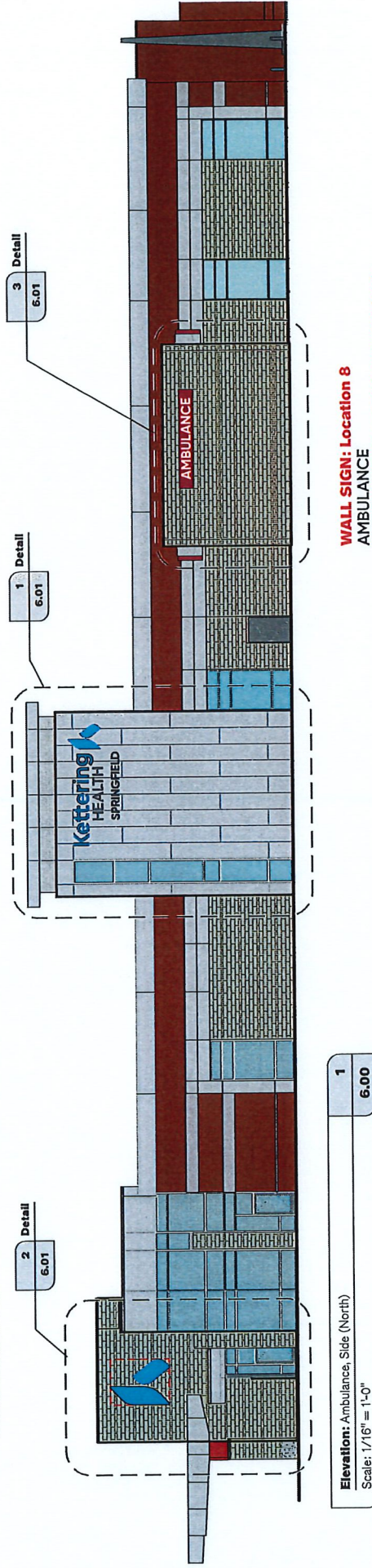
**LOGO**  
Internally illuminated, face lit, dimensional letters  
Mounted to facade  
**Square Footage:** 71'-35"  
**Signage Allowable Area:** 91.05 square feet of  
approx. 607 total square feet of wall area

### WALL SIGN: Location 6

**LOGO ID**  
Internally illuminated, face lit, dimensional letters  
Mounted to facade  
**Square Footage:** 121'  
**Signage Allowable Area:** 174.45 square feet of  
approx. 1,163 total square feet of wall area

### ZONING

**Mixed Neighborhood Area Allowance:**  
15% of the wall on which they are applied.  
Max Height: Roof line.  
Max Quantity: No maximum number.



**Elevation:** Ambulance, Side (North)

Scale: 1/16" = 1'-0"

### WALL SIGN: Location 8

#### AMBULANCE

Internally illuminated sign cabinet mounted to facade  
**Square Footage:** 36 sq ft  
**Signage Allowable Area:** 102.6 square feet of  
approx. 684 total square feet of wall area

design  
that moves  
people



30 multiple place  
auto 1020  
cincinnati, ohio 45202  
513.421.1773  
513.421.1774  
people@swathdesign.com

**PROJECT**  
KHS04A.04  
Kettering Springs  
Springfield Medical Center  
jenna.smith  
jenna@swathdesign.com

**DATE/REVISIONS**  
05/05/21

**OWNER/CONTACT**  
David A. Nelson, MSCE, PE  
Director, Construction Management  
Kettering Health Network  
857.365.6861 X 38007

**DATE/REVISIONS**  
05/05/21

**OWNER/CONTACT**  
David A. Nelson, MSCE, PE  
Director, Construction Management  
Kettering Health Network  
857.365.6861 X 38007



These drawings are for the sole purpose of representing  
visual design and are not intended to be used for  
responsibility for materials selection, fabrication and  
installation. Swath Design, LLC is not responsible for  
compliance of ADA/CFC and are not warranty of  
ADA compliance.

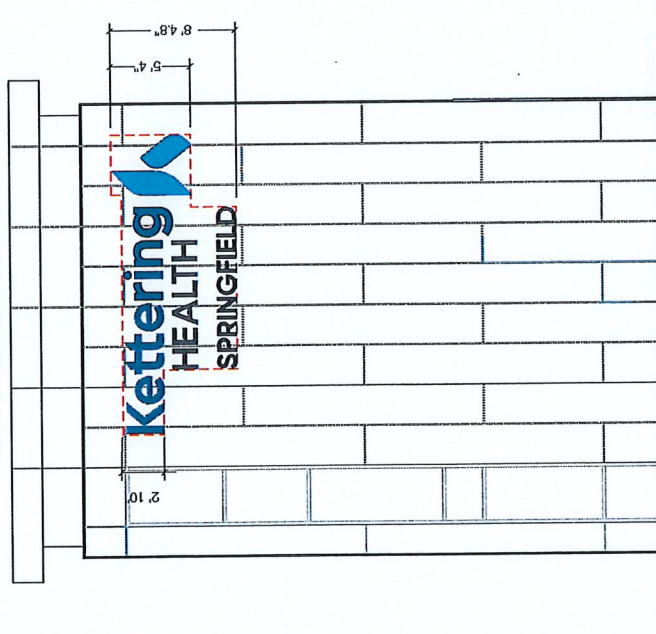
Design Development Drawings  
**6.00**  
North Elevation Signs on Building  
Location Elevation  
©Swath Design, LLC

# WALL SIGN: Location 6

## LOGO ID

Internally illuminated, face lit, dimensional letters  
Mounted to facade

**Signage Footage: 120'**  
**Signage Allowable Area: 174.45 square feet of**  
**approx. 1,163 total square feet of wall area**



# 1

**Sign Elevation: North Tower Sign Location 6 Detail**  
**Scale: 1/8" = 1'-0"**

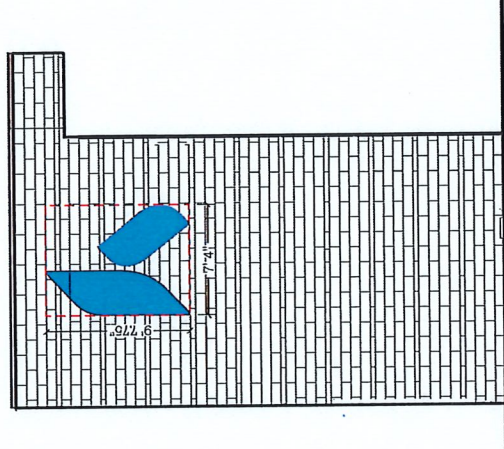
**6.01**

# WALL SIGN: Location 7

## LOGO

Internally illuminated, face lit, dimensional letters mounted to facade

**Square Footage: 71'-0"**  
**Signage Allowable Area: 151.5 square feet of**  
**approx. 606 total square feet of wall area**



# 2

**Sign Elevation: Location 7 Detail**  
**Scale: 1/8" = 1'-0"**

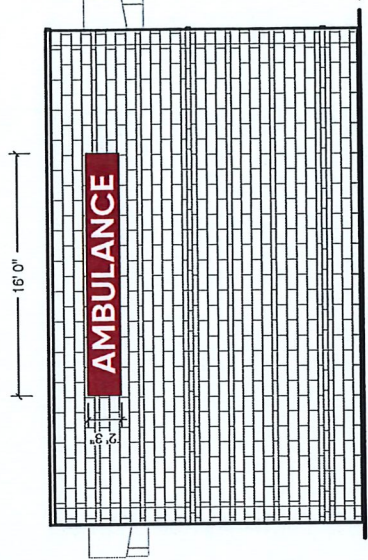
**6.01**

# WALL SIGN: Location 8

## AMBULANCE

Internally illuminated sign cabinet mounted to facade

**Square Footage: 36 sq ft**  
**Signage Allowable Area: 102.6 square feet of**  
**approx. 684 total square feet of wall area**



# 3

**Sign Elevation: Location 8 Detail**  
**Scale: 1/8" = 1'-0"**

**6.01**

design  
that moves  
people



3D graphic design  
studio 1020  
cincinnati, ohio 45202  
616.421.1773  
616.421.1774  
people@swathdesign.com

**PROJECT** K190048.04  
Kettering Springs  
Springfield Medical Center  
jenna.smith  
jenna@swathdesign.com

**DATE** 05/05/21

**DESIGNER** K190018.4 Springfield  
Kettering Springs  
MC, Zoning/Spatial  
jenna.smith  
jenna@swathdesign.com

**GRANTED BY** jenna

**CONTACT** David A. Nelson, MSCE, PE  
Director, Construction Management  
Kettering Health Network  
937.393.6597 X 88087

**KetteringHEALTH**

Design Development Drawings  
**Signs on Building**  
Detail Elevation  
6.01  
DSwath Design, LLC

These drawings are for the sole purpose of providing  
visual design information only. They do not constitute  
a contract. The user of these drawings assumes all  
responsibility for accurate selection, location and  
construction of the signs. The user of these drawings  
acknowledges that the user is not responsible for  
ADA compliance.

Kettering Health Springfield Medical Center: 2300 N Limestone St, Springfield, OH 45503

FOUNDATION MONUMENT SIGN  
Location 9

FOUNDATION MONUMENT: Location 9

Internally illuminated double faced sign cabinet

Square Footage: per side 20' - 31'

ADDITIONAL SIGN

As a monument type sign, adding this exceeds the allowable quantity

As a directional type sign, will require review by zoning as a proposed Institutional Directional (all these sign types require review, but allowable square footage is only 4 feet square)

ZONING

Mixed Neighborhood Area Allowance  
Foundation Monument:

Area Allowance: 1.5 square foot per foot of lot frontage.

Maximum Area: 100 sq ft/ 50 sq ft per side

Maximum Area with bonuses: 150 sq ft/ 75 sq ft per side

Area Bonus for Large lots: Additional 1 square foot to total area for each 2 linear feet of lot frontage in excess of 200 ft

Max Height: 6 feet

Max Height with Bonuses: 10 feet

Set Back: Minimum of 5 feet, out of line of sight

Height Bonus for Setback: Additional 1 ft in height for each additional 2 linear feet setback from property line in excess of 5 ft.

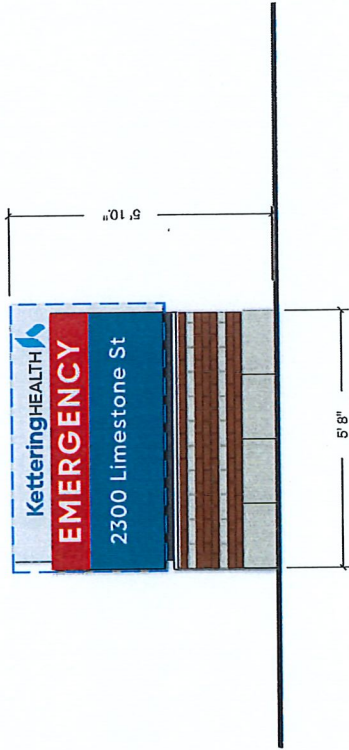
Design Standards: Requires Continuous Footer Foundation

Area Bonus for Design : Additional five square feet per side for brick or stone construction materials for base and/or framing (50% brick or stone minimum)

Height Bonus for Design: Additional 1 ft of height for architectural detailing


Max Quantity: 1 sign per parcel

Additional Sign Provision for large lots: 2 signs are permitted provided that frontage along a single lot is not less than 160 ft. The distance between two freestanding signs shall be no less than 150 ft as measured along the frontage of the lot



Sign Elevation: Monument	1
Scale: 3/8" = 1'-0"	9.00

Indicates Non Compliance



3000 Market place  
Cincinnati, Ohio 45202  
513.421.1773  
513.421.1774  
people@swathdesign.com

PROJECT

WSP048.04

Kettering Springs  
Springfield Medical Center

MC\_ZoningSubmittal


created by: jana.smith  
jana@swathdesign.com

OWNER/CONTACT

David A. Nelson, JUSCE, PE  
Director, Construction Management  
Kettering Health Network  
507.370.6687 X 88087

DATE/REVISIONS

05/05/21



Design Development Drawings  
Foundation Monument Sign  
Location Elevation

9.00

©Swath Design, LLC

ADELE M SIEGEL	2323 N LIMESTONE ST	SPRINGFIELD OH 45503
ADELE M SIEGEL	2323 N LIMESTONE ST	SPRINGFIELD OH 45503
BRYAN D CRAIG	129 E HOME RD	SPRINGFIELD OH 45504
CARLTON A JACKSON	2339 REBECCA DR	SPRINGFIELD OH 45503
CHRISTINE A HARRIS	2034 W MILE RD	SPRINGFIELD OH 45503
CONSTANCE E BOST	2325 REBECCA DR	SPRINGFIELD OH 45503
COVENTRY VILLAGE LLC	383 S 3RD ST	COLUMBUS OH 43215
DAWN D TAYLOR	2319 REBECCA DR	SPRINGFIELD OH 45503
EDWIN D & BEVERLY E DIXON	1921 ELAINA DR	SPRINGFIELD OH 45503
EGGER PROPERTIES LLC	5575 ANSON PL	SPRINGFIELD OH 45502
GARTH S WHITAKER	2333 REBECCA DR	SPRINGFIELD OH 45503
GIANT DAYTON LLC	1806 N FRANKLIN ST	TAMPA FL 33602
HOME ROAD HEALTH LLC	415 E HOME RD	SPRINGFIELD OH 45503
JACK R KNEISLEY	260 DOVER RD	SPRINGFIELD OH 45504
JAMES V & WILMA J HENDERSON	2307 N LIMESTONE ST	SPRINGFIELD OH 45503
KETTERING NETWORK SERVICES	1 PRESTIGE PL STE 910	MIAMISBURG OH 45342
LEE'S FAMOUS RECEIPE	PO BOX 383	NEW CARLSLE OH 45344
LEVINE INVESTMENT CO	2026 W MAIN ST	SPRINGFIELD OH 45504
MARKAR PROPERTIES LLC	120 DOVER RD	SPRINGFIELD OH 45504
NANCY A SHERWOOD	2311 REBECCA DRIVE	SPRINGFIELD OH 45503
RIDGEWOOD GROUP LLC	2345 E HIGH ST	SPRINGFIELD OH 45505
RUSCHAU REAL ESTATE LLC	518 GRANTS TRL	CENTERVILLE OH 45459
THOMAS L FINCH	2245 N LIMESTONE ST	SPRINGFIELD OH 45503
VIRGINIA JACKSON	2349 REBECCA DR	SPRINGFIELD OH 45503
KETTERING HEALTH	3535 SOUTHERN BLVD	KETTERING, OH 45429

## **STAFF REPORT**

TO: Board of Zoning Appeals

DATE: June 16, 2021

PREPARED BY: Stephen Thompson

SUBJECT: Case #21-A-28

### **GENERAL INFORMATION:**

Applicant: Kettering Health, 3535 Southern Blvd., Kettering, OH 45429

Owner: Kettering Network Services, 1 Prestige Place, STE 910, Miamisburg, OH 45342

Purpose: For a variance from Chapter 1155 to allow for three free standing signs

Location: 2300 N Limestone St.

Size: 4.12 acres

Existing Land Use and Zoning: Medical, zoned CC-2

Surrounding Land Use and Zoning: North: Residential, RM-12  
East: Residential, RS-5  
South: Commercial, CC-2  
West: Residential, RS-5

Applicable Regulations: Chapter 1172.06 Variances  
Chapter 1155 Signs Permitted by District

File Date: May 25, 2021

### **BACKGROUND:**

The applicant seeks a variance to construct an additional monument sign. The Mixed Neighborhood sign district permits up to two monument signs. The applicant is seeking to have a total of three, one on N Limestone Street, re-facing the existing sign at the intersection of N Limestone Street and E Home Road, and one at the entrance on E Home Road.

### **ANALYSIS for Variance:**

The Board may grant a variance only where there exists a “practical difficulty” as defined by the courts in Ohio in established case law. The Ohio Supreme Court’s decision in Kisil v. City of Sandusky, (1984) 12 Ohio State 3d 30, is a land mark decision in establishing common law

governing variances by distinguishing between “use” and “area variances.” Area variances involve an exception from such requirements as yard, lot, and height standards. The Supreme Court established that a practical difficulty must exist before an area variance can be granted.

Then subsequent to this case, in Duncan v. Village of Middlefield, (1986) 23 Ohio 3d 83, the Ohio Supreme Court more fully explained the practical difficulty standards. The factors to be considered and weighed in determining whether a property owner seeking a variance has encountered a practical difficulty in the use of his/her property include, but are not limited to:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

*Staff Comment: Yes.*

2. Whether the variance is substantial;

*Staff Comment: Yes, it is an additional sign to the already permitted two.*

3. Whether the essential character of the neighborhood will be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

*Staff Comment: No.*

4. Whether the variance would adversely affect the delivery of government services (e.g., water, sewer);

*Staff Comment: No.*

5. Whether the property owner purchased the property with the knowledge of the zoning restrictions;

*Staff Comment: Yes.*

6. Whether the property owner’s predicament can be obviated through some method other than a variance; or

*Staff Comment: No.*

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

*Staff Comment: Yes.*

#### **RETURNED REPORTS FROM STAFF:**

Service/Engineering Department: Recommend approval

Building Inspections: Recommend approval

Police Division: Recommend approval

Fire Department: Recommend approval

City Manager's Office: Recommend approval

**STAFF RECOMMENDATION:**

Approval of the variance.

**ATTACHMENTS:**

1. Vicinity and zoning map
2. Application

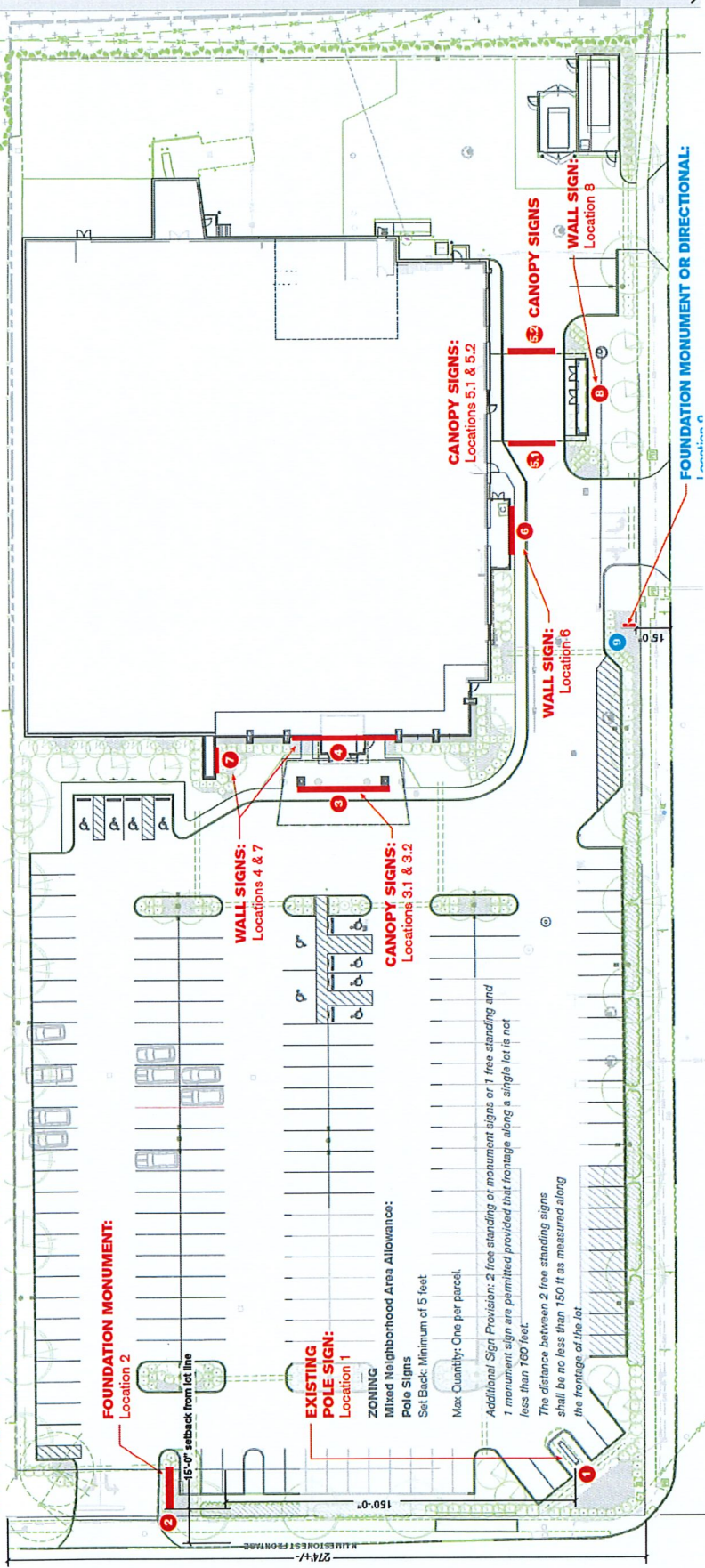
#21-A-28  
2300 N Limestone St.



#21-A-28  
2300 N Limestone St.



**Kettering Health Springfield Medical Center: 2300 N Limestone St, Springfield, OH 45503**



## PYLON SIGN CONSTRUCTION & ZONING

### RETROFIT TO EXISTING

#### FREESTANDING POLE: Location 1

Relace, add architectural and brickwork details drawn from the building.

Square Footage per side: 135'

Signage Allowable Area: 150 square feet total, plus bonus for large lots

Total Allowable: 248 (total existing 270)

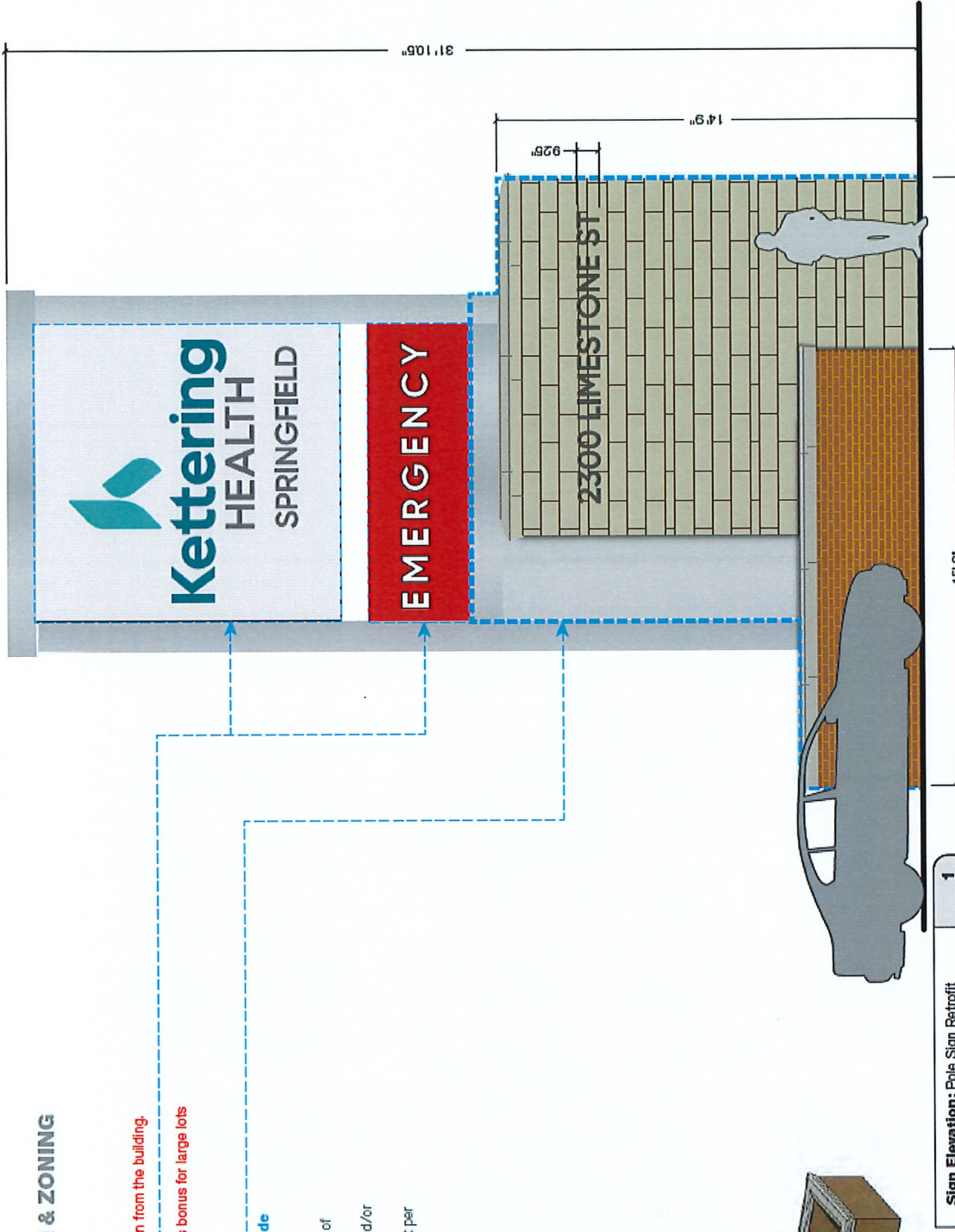
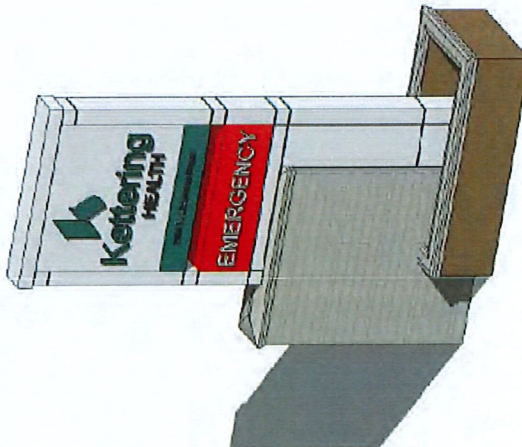
Area Bonus for Design options: 224 sq ft

Square Footage shown here is 262 sq ft per side

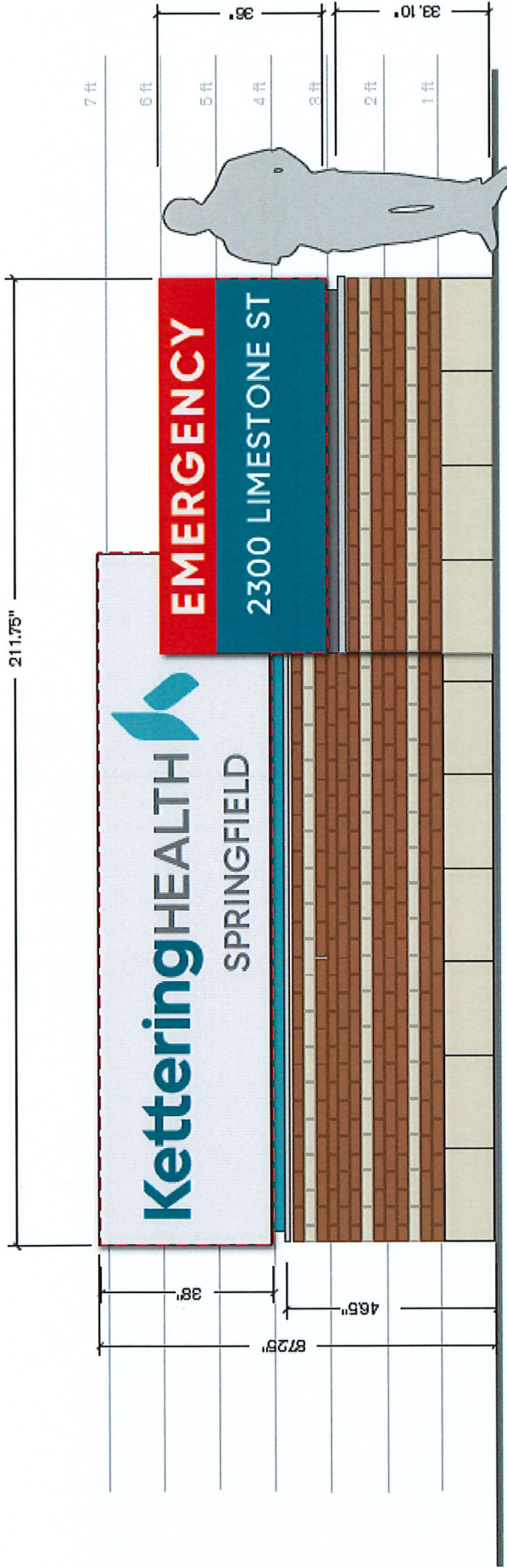
### ZONING

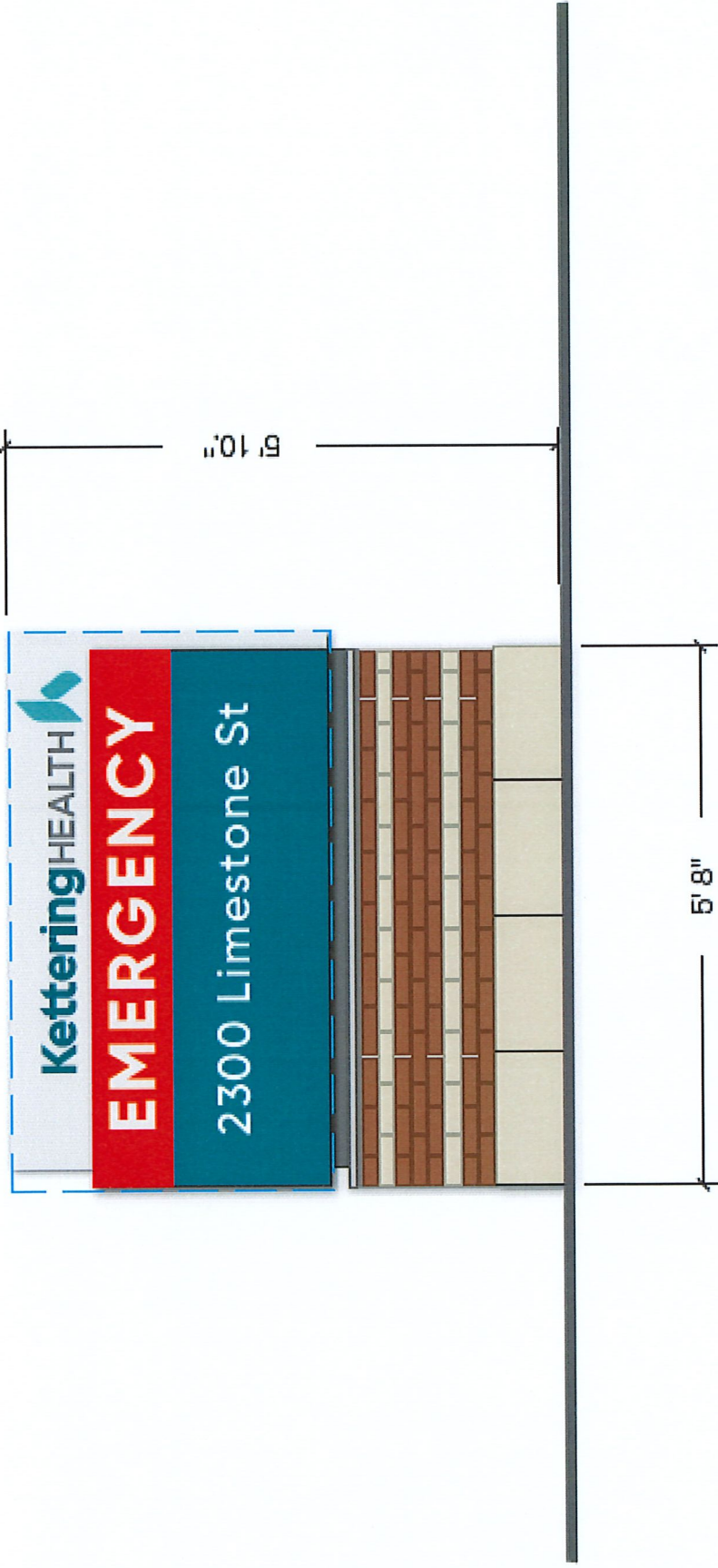
Area Bonus, Design option 1: Additional .25 sq ft of area per linear foot of frontage for brick or stone construction materials for base and/or framing (50% brick or stone minimum)

Area Bonus, Design Option 2: Additional .25 sq ft per linear frontage for architectural detailing



Sign Elevation: Pole Sign Retrofit







# **Agenda Item # 7**

**Case #21-A-29**

**Variance**

**FOR OFFICE USE ONLY**Case #: 21-A-29Date Received: 5/27/21Received by: STApplication Fee: \$ 57

Review Type:

☐ Admin ☐ CPB ☒ BZA**GENERAL APPLICATION****A. PROJECT**1. Application Type & Project Description (*attach additional information, if necessary*):Garage2. Address of Subject Property: 2130 Rutland Avenue, Spfld, OH 455053. Parcel ID Number(s): 34007-00021-100-0314. Full legal description attached? ☐ yes ☐ no5. Size of subject property: .49 acres6. Current Use of Property: Residential7. Current Zoning of Property: Residential**B. APPLICANT**1. Applicant's Status (*attach proof of ownership or agent authorization*) ☒ Owner☐ Agent (*agent authorization required*) ☐ Tenant (*agent authorization required*)2. Name of Applicant(s) or Contact Person(s): Gregory CookTitle: Owner

Company (if applicable): \_\_\_\_\_

Mailing address: 2130 Rutland AvenueCity: Springfield State: OHIO ZIP: 45505Telephone: (937) 215-3783 Fax: ( ) \_\_\_\_\_Email: scCook6877@yahoo.com

3. If the applicant is agent for the property owner:

Name of Owner (title holder): \_\_\_\_\_

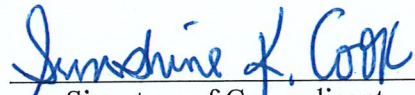
Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

**I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION  
CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR  
KNOWLEDGE.**

  
Signature of Applicant

Greg A. Cook  
Typed or printed name and title of applicant

  
Signature of Co-applicant

Sunshine K. Cook  
Typed or printed name of co-applicant


State of Ohio

County of Clark

The foregoing instrument was acknowledged before me this 26 day of  
May, 2021

by Lisa N. Plank (name of person acknowledged).

(seal)

  
Notary Public Signature

My commission expires: 12.13.22



CITY OF SPRINGFIELD  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING & ZONING DIVISION

BOARD OF ZONING APPEALS - VARIANCE APPLICATION

Date: 05-26-2021

Property address: 2130 Rutland Ave, Spfld, OH 45505

Section of the Zoning code applicable: \_\_\_\_\_

Purpose of this request, including the improvements or physical changes proposed if this application is approved:

Our current garage was built in the 60's. We currently are unable  
to park a vehicle in it due to its size. We would like to build  
a 2 car wide garage in place of the current garage.

Please include the following exhibits:

**Exhibit A**

A scale drawing with the dimensions of the property including existing and proposed buildings and their distances from lot lines, parking spaces, and adjoining streets and alleys. Please see example site plan. Additional copies may be required as needed.

**Basis for the requested action:** Substantiate the reasons why you feel the Board of Zoning Appeals should grant your request. Be specific (attach additional pages if necessary).

We would like to continue the upgrade of our property. We  
currently have to use 2 buildings to store yard equipment,  
pool equipment, Tools, etc. Our current garage set approx  
4' off the property line. In order to build a 2 car wide garage  
we would request to move a new garage to approx 2' off  
the property line. This will allow proper room by the  
house to pull a vehicle in and out of the garage.

Store our Vehicles And all of our other equipment  
and tools.

An appeal for a variance to the Zoning Code cannot be granted by the Board of Zoning Appeals unless the following factors are shown to exist. Therefore, for each factor explain in detail how each applies to your appeal: (Please write on additional sheets of paper if you need more space).

1. The property in question cannot yield a reasonable return and there can be no beneficial use of the property without the variance. The variance would relieve a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience to the appellant.

With the current garage not being able to park one car inside and the  
current garage at 4' off the property line. I require a variance for a new  
build. If I require the variance to build, then I am requesting a  
variance to build a 2 car garage

2. The variance is not substantial, i.e. the modification in the requirement that is being requested is not a significant amount in comparison to the requirement.

With the Code being 5' off the property line. Our Current garage  
sits 4' off the property line. We are requesting to move to 2'  
off the property line to allow for a 2 car garage

3. The essential character of the neighborhood, i.e. adjacent properties, will not be substantially altered or suffer a substantial detriment as a result of the variance.

Many Properties have large garages, 2 car garages in our  
neighborhood.

4. The variance will not adversely affect the delivery of governmental services such as water, sewer.

Not at all

5. The property owner was not aware of the zoning restrictions when purchasing the property.

We have owned the property for 23 years. Was never able

to upgrade our garage until now. This is why we were not  
Aware of any restrictions. This is why we are just now  
Requesting a Variance

6. There is no other feasible method of solving the property owner's predicament.

Not with the current garage location and the current  
driveway location

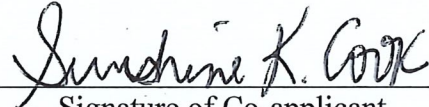
7. The spirit and intent behind the zoning requirement will be observed and substantial justice done by granting the variance.

We understand the current code. In order to build a new garage  
we will require a variance, only hope a variance can be granted  
to upgrade our garage to 2 car

**I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION  
CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR  
KNOWLEDGE.**



Signature of Applicant



Signature of Co-applicant

Gary A. Cook

Typed or printed name and title of applicant

Sunshine K. Cook

Typed or printed name of co-applicant

State of Ohio

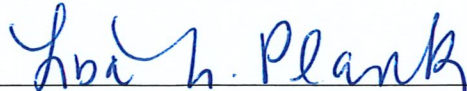
County of Clark

The foregoing instrument was acknowledged before me this 26 day of

May, 2021

by Lisa N. Plank (name of person acknowledged).

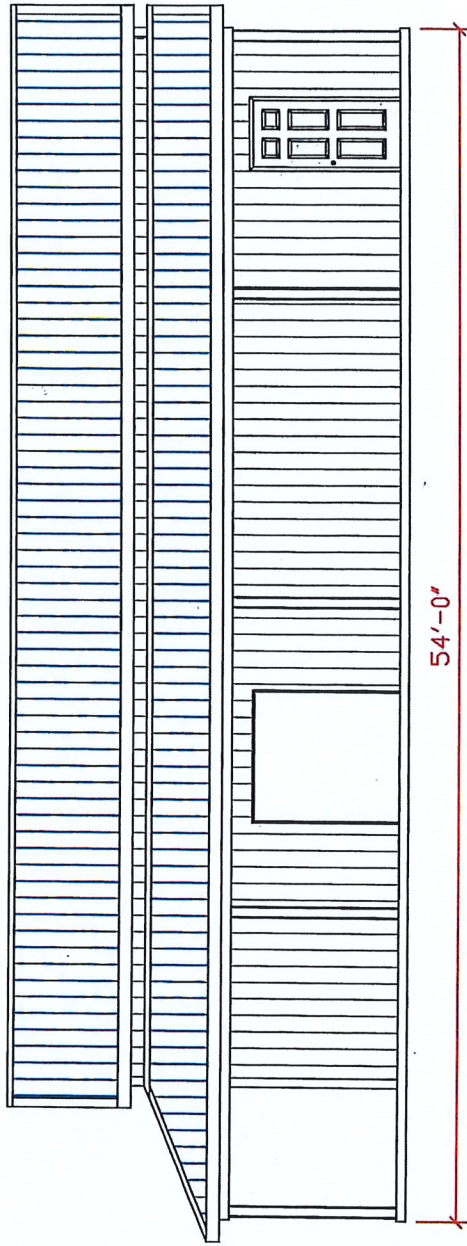
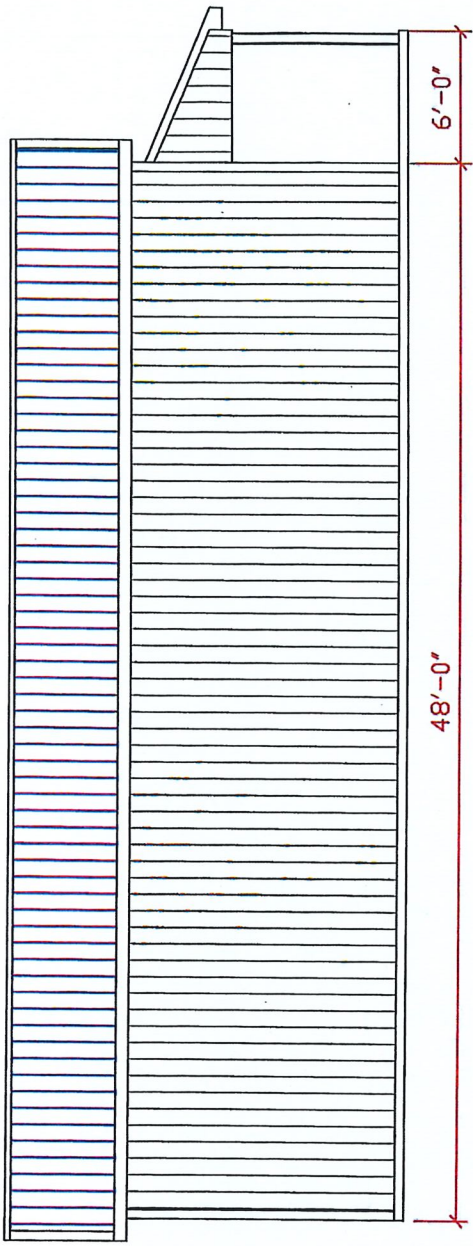
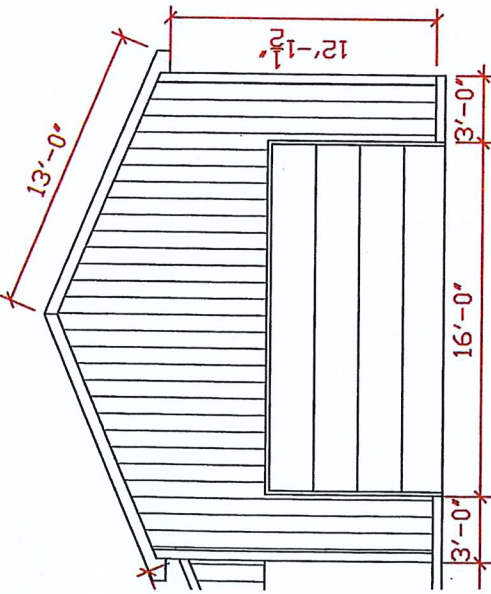
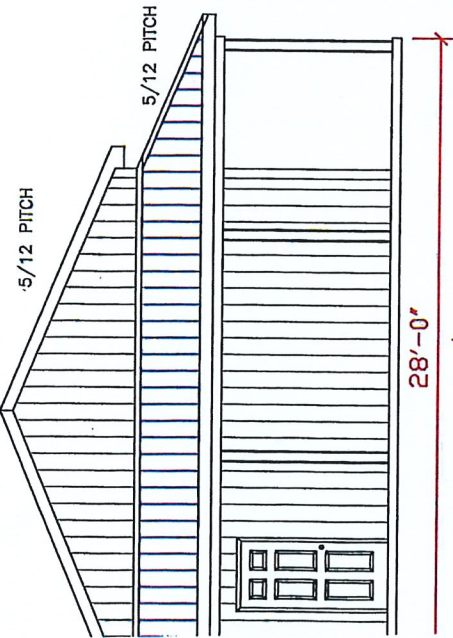
(seal)



Notary Public Signature

My commission expires: 12.13.22







2130

2140

150

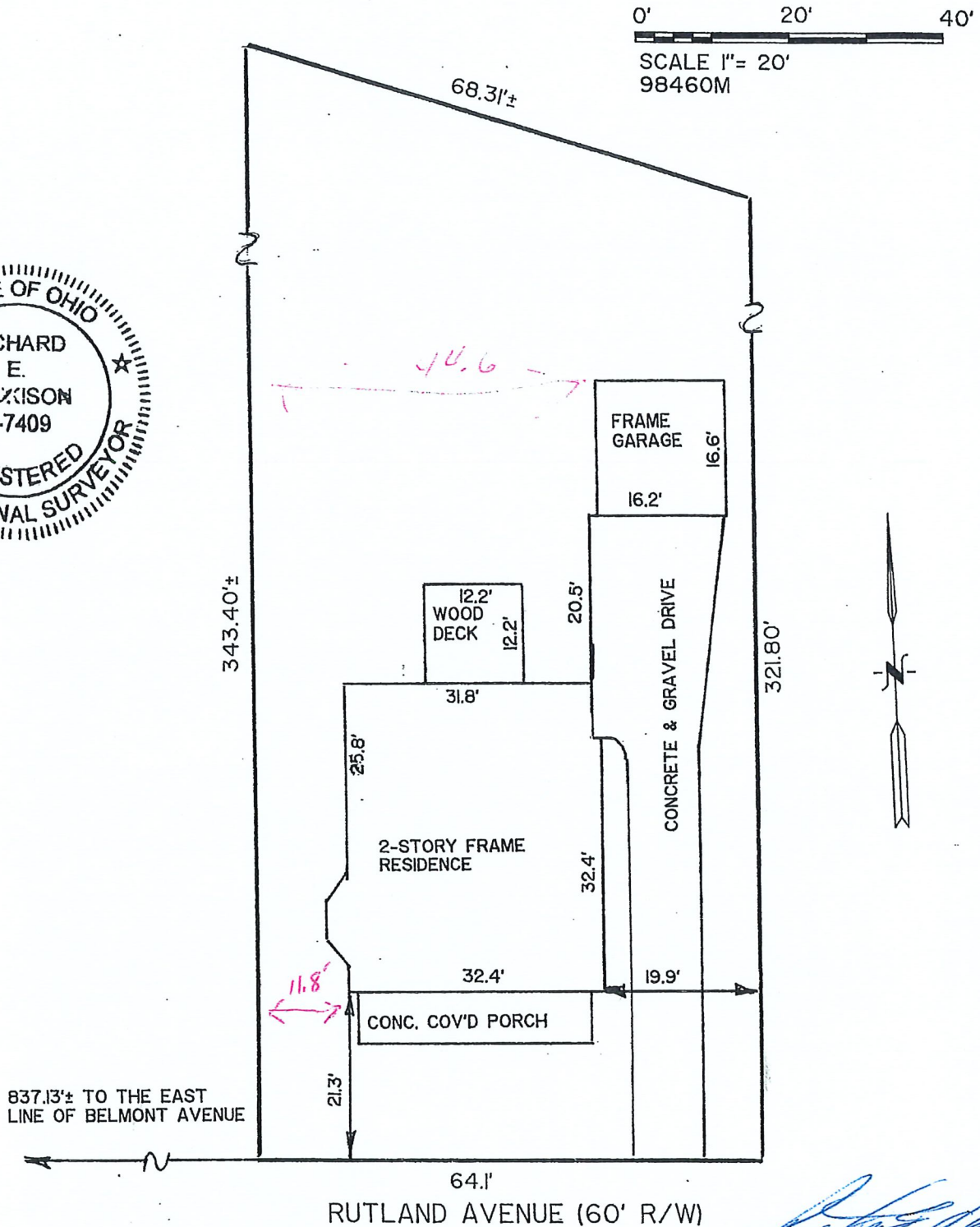
-033

23 A



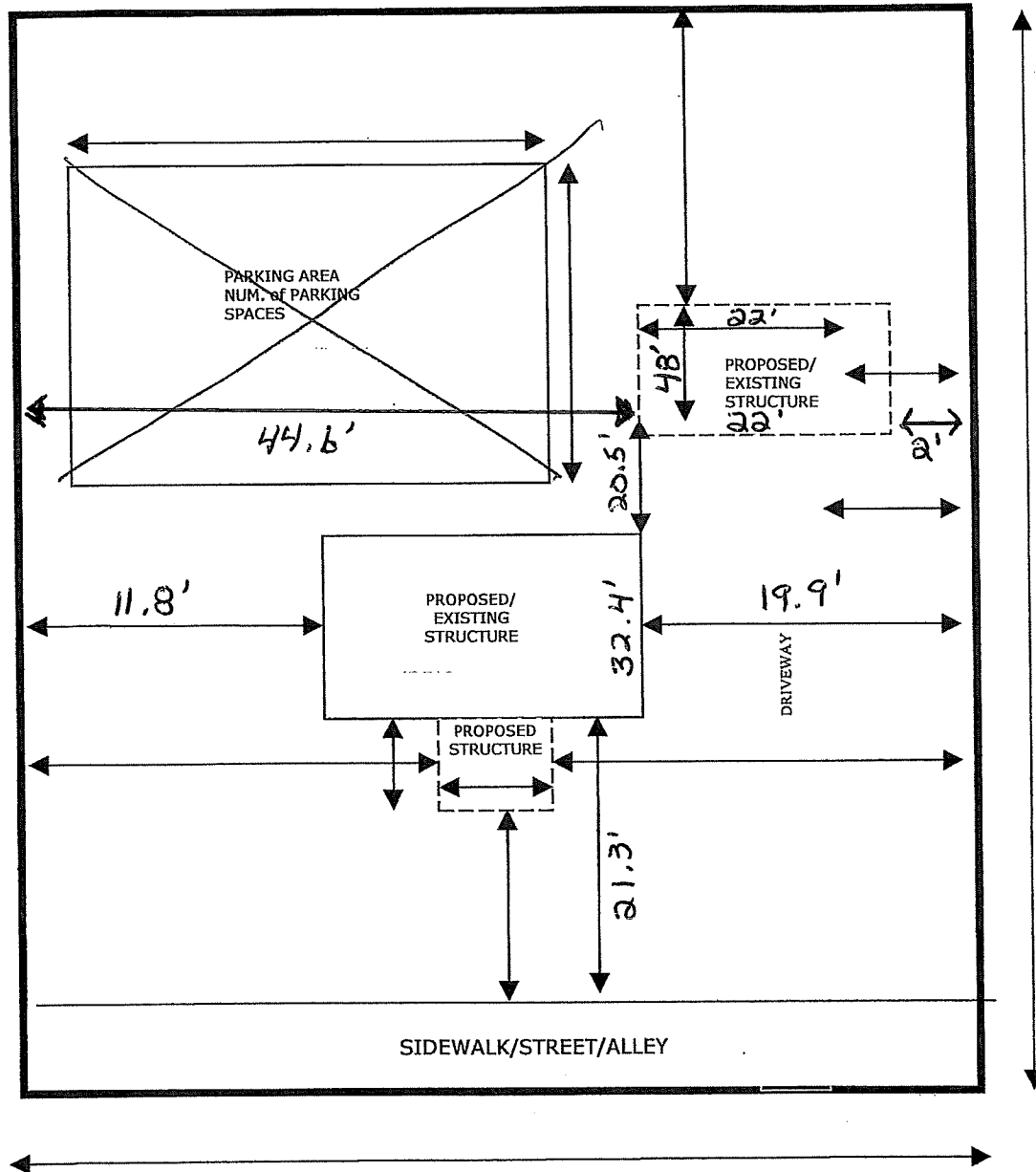
BEING A PART OF THE N/W 1/4  
OF SECTION 21, T-5, R-9, B.M.R.S.,  
CITY OF SPRINGFIELD, CLARK COUNTY, OHIO.

SELLER: SCOTT A. SCHAEFER  
BUYER: GREG A. & SUNSHINE K. COOK  
LENDER: CITIFED MTG. CORP. OF AMERICA  
PROP. ADD.: 2130 RUTLAND AVENUE  
SPRINGFIELD, OHIO 45505  
PPN 340-7-00021-100-031



RICHARD E. HANKISON  
P.L.S. #7409  
DATE: 5-28-1998

# SAMPLE SITE PLAN



## Directions:

- 1) Show all dimensions of existing & proposed structures and distances from property lines, streets, and alleys.
- 2) Show all dimensions of existing & proposed impervious surfaces (ie. concrete/blacktop surfaces)/parking areas, including number of parking spaces, and distances from property lines, streets, and alleys.
- 3) Indicate whether structures are covered or uncovered (ie. deck or porch with roof).

ANDREW HAHN & LINDA S FRYE	2125 ELDERWOOD RD	SPRINGFIELD OH 45504
ANDREW HAHN & LINDA S FRYE	2125 ELDERWOOD RD	SPRINGFIELD OH 45504
BRYAN K OWEN	2140 RUTLAND AVE	SPRINGFIELD OH 45505
CAROLYN D SHIRK	2133 RUTLAND AVE	SPRINGFIELD OH 45505
DENNIS A SHAFFNER	2221 RUTLAND AVE	SPRINGFIELD OH 45505
DORIS J & BARBARA J RILEY	2105 RUTLAND AVE	SPRINGFIELD OH 45505
DWIGHT & WENDY D GILPIN	2112 RUTLAND AVE	SPRINGFIELD OH 45505
ENCHANTMENT INVESTMENTS LLC	2105 KENTON ST	SPRINGFIELD OH 45505
GREG A COOK & SUNSHINE K SHIPLEY	2130 RUTLAND AVE	SPRINGFIELD OH 45505
JAMES GRANT KAUFFMAN	2118 RUTLAND AVE	SPRINGFIELD OH 45505
LARRY HALPERN & GAIL B KEEN	2121 KENTON ST	SPRINGFIELD OH 45505
LUCIO ANTONIO AVILES	1301 TEXAS AVE	SPRINGFIELD OH 45505
M DEWEY BALLARD	2202 RUTLAND AVE	SPRINGFIELD OH 45505
MARY E JENKINS	1310 SKYLINE LN	SPRINGFIELD OH 45505
MARY E JENKINS	1314 SKYLINE LN	SPRINGFIELD OH 45505
MARY E JENKINS	2325 VALENCIA DR	SARASOTA FL 34239
NEWER MANAGEMENT LLC	2137 RUTLAND AVE	SPRINGFIELD OH 45505
NICHOLAS & VICCI LUBBERS TRS	902 S FOUNTAIN AVE	SPRINGFIELD OH 45506
REBEKAH J MARTINDALE	2117 KENTON ST	SPRINGFIELD OH 45505
RICHARD & ROBERTA MC KEEVER	2125 RUTLAND AVE	SPRINGFIELD OH 45505
ROBERT H & PENNY MC PEEK	PO BOX 965	SPRINGFIELD OH 45501
ROBERT L & JULIE E ALSPAUGH	2126 RUTLAND AVE	SPRINGFIELD OH 45505
RONALD E & KAREN S RATHBUN	1300 SKYLINE LN	SPRINGFIELD OH 45505
SCOTT A & SHEILA A JUDY	2067 KENTON ST	SPRINGFIELD OH 45505
STACIE R VAN BEBER	2104 RUTLAND AVE	SPRINGFIELD OH 45505
TERRY N OBERLY		

## STAFF REPORT

TO: Board of Zoning Appeals

DATE: June 16, 2021

PREPARED BY: Stephen Thompson

SUBJECT: Case #21-A-29

### **GENERAL INFORMATION:**

Applicant: Gregory Cook, 2130 Rutland Ave., Springfield, OH 45505

Owner: Gregory Cook, 2130 Rutland Ave., Springfield, OH 45505

Purpose: For a variance from Chapter 1150 to build a garage two feet from the side property line and 1152.02(f) to build a garage over 16 feet tall

Location: 2130 Rutland Ave.

Size: 0.49 acre

Existing Land Use and Zoning: Residential, zoned RS-5

Surrounding Land Use and Zoning: North: Residential, RS-5  
East: Residential, RS-5  
South: Residential, RS-5  
West: Residential, RS-5

Applicable Regulations: Chapter 1172.06 Variances  
Chapter 1150 General Requirements

File Date: May 28, 2021

### **BACKGROUND:**

The applicant seeks a variance to construct a new garage two feet from the property line. The existing garage will be demolished. The proposed garage will be 1,512 square feet in size. It will be approximately 16 feet eight inches in overall height. The garage will allow two cars to be parked inside.

### **ANALYSIS for Variance:**

The Board may grant a variance only where there exists a "practical difficulty" as defined by the courts in Ohio in established case law. The Ohio Supreme Court's decision in Kisil v. City of Sandusky, (1984) 12 Ohio State 3d 30, is a land mark decision in establishing common law governing variances by distinguishing between "use" and "area variances." Area variances

involve an exception from such requirements as yard, lot, and height standards. The Supreme Court established that a practical difficulty must exist before an area variance can be granted.

Then subsequent to this case, in Duncan v. Village of Middlefield, (1986) 23 Ohio 3d 83, the Ohio Supreme Court more fully explained the practical difficulty standards. The factors to be considered and weighed in determining whether a property owner seeking a variance has encountered a practical difficulty in the use of his/her property include, but are not limited to:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

*Staff Comment: Yes. It can be constructed as prescribed by code.*

2. Whether the variance is substantial;

*Staff Comment: Yes. It is a 60% reduction in the required setback.*

3. Whether the essential character of the neighborhood will be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

*Staff Comment: No.*

4. Whether the variance would adversely affect the delivery of government services (e.g., water, sewer);

*Staff Comment: No.*

5. Whether the property owner purchased the property with the knowledge of the zoning restrictions;

*Staff Comment: No.*

6. Whether the property owner's predicament can be obviated through some method other than a variance; or

*Staff Comment: No.*

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

*Staff Comment: Yes.*

#### **RETURNED REPORTS FROM STAFF:**

Service/Engineering Department: Recommend approval

Building Inspections: Recommend approval

Police Division: Recommend approval

Fire Department: Recommend approval

City Manager's Office: Recommend approval

**STAFF RECOMMENDATION:**

Approval of the variance.

**ATTACHMENTS:**

1. Vicinity and zoning map
2. Application

#21-A-29  
2130 Rutland Ave.



#21-A-29  
2130 Rutland Ave.





# **Agenda Item # 8**

**Case #21-A-30**

**Conditional Use**



☒ Planning & Zoning

**FOR OFFICE USE ONLY**

Case #: 21-A-30  
Date Received: 5/28/21  
Received by: ST  
Application Fee: \$ 285  
Review Type:  
☐ Admin ☐ CPB ☒ BZA

**GENERAL APPLICATION**

**A. PROJECT**

1. Application Type & Project Description (*attach additional information, if necessary*):

Conditional use permit for convenience store/fuel station.

Automobile and truck oriented use Section 1118.04

2. Address of Subject Property: 2206 N. Bechtle Avenue

3. Parcel ID Number(s): 320-02-00001-000-140 and 330-06-00006-100-023

4. Full legal description attached? ☒ yes ☐ no

5. Size of subject property: .52 acres and .579 acres (1.099 acres combined)

6. Current Use of Property: Vacant (former restaurant)

7. Current Zoning of Property: CC-2 Community Commercial District

**B. APPLICANT**

1. Applicant's Status (*attach proof of ownership or agent authorization*) ☐ Owner

☒ Agent (*agent authorization required*) ☐ Tenant (*agent authorization required*)

2. Name of Applicant(s) or Contact Person(s): Stephen Butler

Title: \_\_\_\_\_

Company (if applicable): Community Civil Engineers

Mailing address:  
2440 Dayton-Xenia Road, Suite B

City: Beavercreek State: OH ZIP: 45434

Telephone: ( 937 ) 490-9460 Fax: ( ) \_\_\_\_\_

Email  
sbutler@communitycivilengineers.com

3. If the applicant is agent for the property owner:

Name of Owner (title holder): Eliot A. Hayne, Trustee

Mailing Address: 20 Tamarin Lane

City: Novato State: CA ZIP: 94945

**I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION  
CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR  
KNOWLEDGE.**

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Co-applicant

Stephen Butler

\_\_\_\_\_  
Typed or printed name and title of applicant

\_\_\_\_\_  
Typed or printed name of co-applicant

State of Ohio

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of  
May, 20 21

by \_\_\_\_\_ (name of person acknowledged).

(seal)

\_\_\_\_\_  
Notary Public Signature

My commission expires: \_\_\_\_\_



☒ Planning & Zoning

CITY OF SPRINGFIELD  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING & ZONING DIVISION

BOARD OF ZONING APPEALS APPLICATION

Date: 5/28/21

Property address: 2206 N. Bechtle Ave. (Tax Parcel Nos. 3200200001000140 and 3300600006100023)

Requested Action: ☒ Conditional Use  
☐ Interpretation of the Zoning Code or Map  
☐ Change of a Nonconforming Use  
☐ Other

Section of the Zoning code applicable: 1118.04

Purpose of this request, including the improvements or physical changes proposed if this application is approved:

A conditional use permit for an automobile and truck oriented use, specifically a convenience store/fuel station on the Property.

Please include the following exhibits:

**Exhibit A**

A scale drawing with the dimensions of the property including existing and proposed buildings and their distances from lot lines, parking spaces, and adjoining streets and alleys. Please see example site plan. Additional copies may be required as needed.

Basis for the requested action: Substantiate the reasons why you feel the Board of Zoning Appeals should grant your request. Be specific. Use the space that follows (attach additional pages if necessary).

See Attached Explanation

Signature: \_\_\_\_\_

Applicant

Date

5/28/21

Please Print Name: \_\_\_\_\_

Stephen Butler

Exhibit B  
2206 N Bechtle Avenue – Conditional Use

The property that is the subject of this Application is located in the CC-2 Communicate Commercial District. The stated purpose of this district is for the development of shopping and business areas. The businesses located in this district require access to major thoroughfares.

Applicant is seeking a conditional use permit for the subject property to permit the operation of a convenience store / fuel station pursuant to Section 1118.04 of the Zoning Code. The property is located on Bechtle Avenue on the northern end of the retail corridor. The prior business operated on this property was an IHOP restaurant.

The property is in a business district. To the west of the property is State Route 68. The land immediately to the north of the property is undeveloped and north of St. Paris Pike along Bechtle Avenue is Windy Knoll Golf Club. All of the property along the Bechtle Avenue corridor to the south of the property are businesses, including big box retail stores, Hobby Lobby, Home Depot and Walmart. A Speedway convenience store / fuel station is approximately .2 miles from the property. There are single family homes to the east of the property, however there is a sizeable land buffer separating the property from the homes closest to the property.





☐ Planning & Zoning

CITY OF SPRINGFIELD  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING & ZONING DIVISION

PROPERTY OWNER AFFIDAVIT (IF NECESSARY)

Address: 2206 BECHTLE AVE.  
Parcel No.: 3200200001000140, 3300600006100023  
Acreage: 0.529 0.58 = 1.10 Ac.  
Agent Name: Stephen Butler Community Civil Engineers  
Agent Tax Mailing Address: 24440 Dayton Xenia Rd. Ste. B  
Beavercreek, OH 45434  
Agent Phone Number: 937 490 9460  
Owner Name: SEVEN STAR PROPERTIES LLC  
Owner Tax Mailing Address: 6846 SOUTHAMPTON LN  
WEST CHESTER OH 45069  
Owner Phone Number: 513-713-3773  
Requested Action: RAJINDER KUMAR (MANAGER)  
(to be conducted by  
Agent, authorized by  
owner):

I hereby certify that:

I am the property owner of record. I authorize the above listed agent to act on my behalf for the purposes of this application.

Property owner  
signature:

Printed name:

RAJINDER KUMAR

Date:

5/21/21

State of Ohio

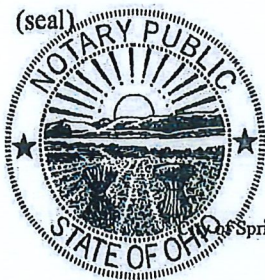
County of

Montgomery

The foregoing instrument was acknowledged before me this 21 day of May, 20 21

by Rajinder Kumar (name of person acknowledged).

(seal)



Laura Creeger, Notary Public  
In and for the State of Ohio  
My Commission Expires Mar. 28, 2023

  
Notary Public Signature

My commission expires: 3/28/23

DT RETAIL PROPERTIES LLC 500 VOLVO PKWY  
DT RETAIL PROPERTIES LLC 500 VOLVO PKWY  
ELLIOTT A HAYNE 20 TAMARIN LN  
NORTH BECHTLE SQUARE I INV LLC 10085 WELLINGTON BLVD  
RYAN, LLC PO BOX 460389 DEPT 125  
TEO REGALADO PO BOX 16649  
ZUBER CROSSING LLC 10085 WELLINGTON BLVD  
STEPHEN BUTLER 2440 DAYTON-XENIA RD SUITE B

CHESAPEAKE VA 23320  
CHESAPEAKE VA 23320  
NOVATO CA 94945  
POWELL OH 43065  
HOUSTON TX 77056  
LAS CRUCES NM 88004  
POWELL OH 43065  
BEAVERCREEK, OH 45434

## **STAFF REPORT**

TO: Board of Zoning Appeals

DATE: June 16, 2021

PREPARED BY: Stephen Thompson

SUBJECT: Case #21-A-30

### **GENERAL INFORMATION:**

Applicant: Community Civil Engineers, 2440 Dayton-Xenia Rd, Suite B, Beavercreek, OH 45434

Owner: Elliot Hayne Trustee, 20 Tamarin Ln., Novato, CA 94945

Purpose: For a conditional use permit to construct a gas station

Location: 2606 Bechtle Ave.

Size: 1.1 acres

Existing Land Use and Zoning: Vacant, zoned CC-2A

Surrounding Land Use and Zoning: North: Undeveloped, CC-2A  
East: Undeveloped, CC-2A  
South: Retail, CC-2A  
West: Undeveloped, RS-5

Applicable Regulations: Chapter 1172.05 Board of Zoning Appeals: Conditional Uses  
Chapter 1130.04 Conditional Uses

File Date: May 28, 2021

### **BACKGROUND:**

The applicant seeks a conditional use permit to construct a fuel station and convenience store on the property. The former restaurant was built in 2016, but has been vacant for some time. The plan for this area has seen several amendments and variances up to this point. Staff does not believe a gas station is the highest and best use for the parcel. This area was intended for retail and staff's opinion is that is what any future use should be.

### **ANALYSIS for Conditional Use:**

In considering an application for a conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures, and the consistency therewith of the proposed use and development. Before authorizing a use as a conditional use, the Board shall review the

facts and circumstances of each proposed conditional use in terms of the following standards and shall find adequate evidence showing that the proposed conditional use at the proposed location:

- (1) Would not be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood by reason of noise, smoke, odor, vibration, dust and dirt, cinders, noxious gases, glare and heat, fire and safety hazards, sewage wastes and pollution, transportation and traffic, aesthetic and psychological effects. The Board shall use and give recognition to those performance standards which are available in model codes or ordinances, or have been developed by planning, manufacturing, health, architectural and engineering organizations, and can be applied to the proposed use, to assist it in reaching a fair and objective decision;

*Staff Comment: It would. A gas station would generate more traffic than the former restaurant at the intersection.*

- (2) Is in fact a conditional use as established under the provisions of this Springfield Zoning Code as eligible to be permitted in the district involved;

*Staff Comment: Yes.*

- (3) Will be harmonious with and in accordance with the general objectives, or with any specific objective of this Springfield Zoning Code;

*Staff Comment: Yes.*

- (4) Will be designed, constructed, operated and maintained as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not change the essential character of the same area;

*Staff Comment: Yes.*

- (5) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

*Staff Comment: Yes.*

- (6) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

*Staff Comment: It will not.*

- (7) Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. Upon authorizing a conditional use, the Board shall impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this Springfield Zoning Code for the particular conditional use, as the Board may deem

necessary for the protection of adjacent properties and the public interest.

***Staff Comment:** The existing entrance off of Bechtle Avenue would need to be changed to a right in/right out only. Keeping the existing entrance as is would potentially create interference with the existing traffic pattern.*

**RETURNED REPORTS FROM STAFF:**

Service/Engineering Department:	Recommend approval; right in and right out needs to be switched to right in only
Building Inspections:	Recommend approval; all building comments will be addressed during the permitting process
Police Division:	Recommend approval
Fire Department:	Recommend approval
City Manager's Office:	Recommend denial; traffic concerns

**STAFF RECOMMENDATION:**

Denial of the conditional use permit.

**ATTACHMENTS:**

1. Vicinity and zoning map
2. Application

#21-A-30  
2206 Bechtle Ave.



#21-A-30  
2206 Bechtle Ave.







# **Agenda Item # 9**

**Case #21-A-31**

**Conditional Use**

**FOR OFFICE USE ONLY**Case #: 21-A-31Date Received: 5/28/21Received by: STApplication Fee: \$ 289

Review Type:

☐ Admin ☐ CPB ☒ BZA**GENERAL APPLICATION****A. PROJECT**

1. Application Type &amp; Project Description (attach additional information, if necessary):

Conditional Use - Gas Station2. Address of Subject Property: 908 W. NORTH ST.3. Parcel ID Number(s): 3400600005416019/34006000054160184. Full legal description attached? ☒ yes ☐ no5. Size of subject property: 0.498 ACRES6. Current Use of Property: CONVENIENCE STORE W/ DRIVE THRU7. Current Zoning of Property: CC2**B. APPLICANT**1. Applicant's Status (attach proof of ownership or agent authorization) ☒ Owner☐ Agent (agent authorization required) ☐ Tenant (agent authorization required)2. Name of Applicant(s) or Contact Person(s): RASINDER KUMARTitle: MANAGERCompany (if applicable): SEVEN STAR PROPERTIES LLCMailing address: 6846 SOUTHAMPTON LANECity: WEST CHESTER State: OH ZIP: 45069Telephone: (513) 713-3773 Fax: ( )Email: SEVENSTARPROPERTIESLLC@GMAIL.COM

3. If the applicant is agent for the property owner:

Name of Owner (title holder): SAME AS APPLICANT

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

**I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION  
CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR  
KNOWLEDGE.**

[Signature]  
Signature of Applicant

\_\_\_\_\_  
Signature of Co-applicant

RAJINDER KUMAR  
Typed or printed name and title of applicant

\_\_\_\_\_  
Typed or printed name of co-applicant

State of Ohio

County of Miami

The foregoing instrument was acknowledged before me this 28 day of  
May, 2021

by Kumar, Rajinder (name of person acknowledged).

(seal)



**MIKAILA R COX**  
Notary Public  
State of Ohio  
Commission Exp. January 14, 2026

[Signature]  
Notary Public Signature

My commission expires: 1/14/2026



■ Planning & Zoning

**CITY OF SPRINGFIELD**  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING & ZONING DIVISION

BOARD OF ZONING APPEALS APPLICATION

Date: 5/28/21

Property address: 908 W. NORTH ST.

Requested Action: ☒ Conditional Use  
☐ Interpretation of the Zoning Code or Map  
☐ Change of a Nonconforming Use  
☐ Other

Section of the Zoning code applicable: 1118.04

Purpose of this request, including the improvements or physical changes proposed if this application is approved:

To install 4 gas pumps  
and canopy in front yard. see Exhibit 'A'

Please include the following exhibits:

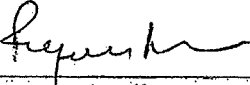
**Exhibit A**

A scale drawing with the dimensions of the property including existing and proposed buildings and their distances from lot lines, parking spaces, and adjoining streets and alleys. Please see example site plan. Additional copies may be required as needed.

Basis for the requested action: Substantiate the reasons why you feel the Board of Zoning Appeals should grant your request. Be specific. Use the space that follows (attach additional pages if necessary).

See Exhibit B attached.

---

Signature:  5/28/21  
Applicant Date

Please Print Name: RAJINDER KUMAR

---

Exhibit B

Conditional Use Application – 908 West North Street

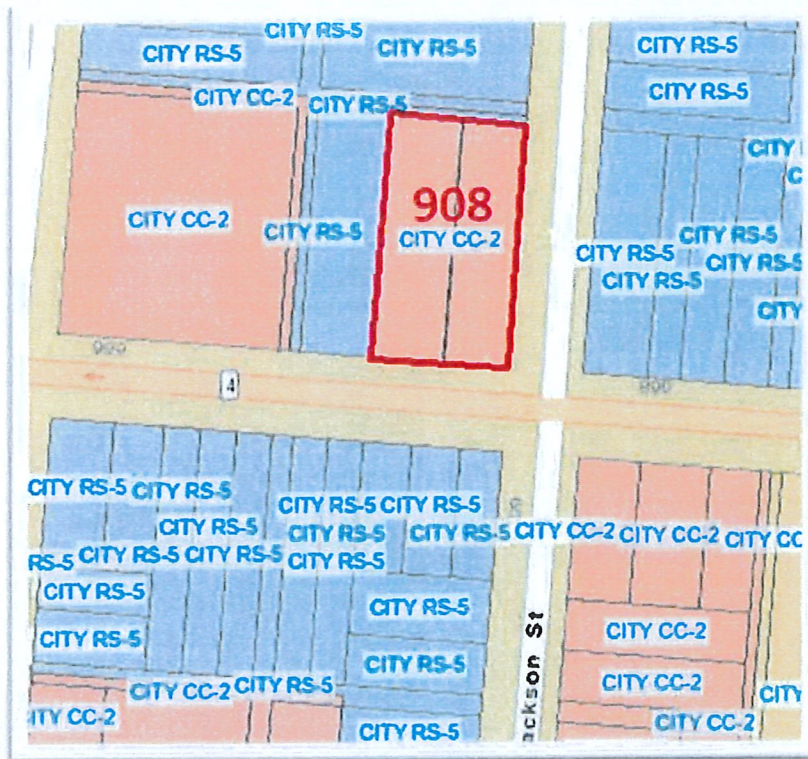
The property that is the subject of this Application is located in the CC-2 Communicate Commercial District. The stated purpose of this district is for the development of shopping and business areas. The businesses located in this district require access to major thoroughfares.

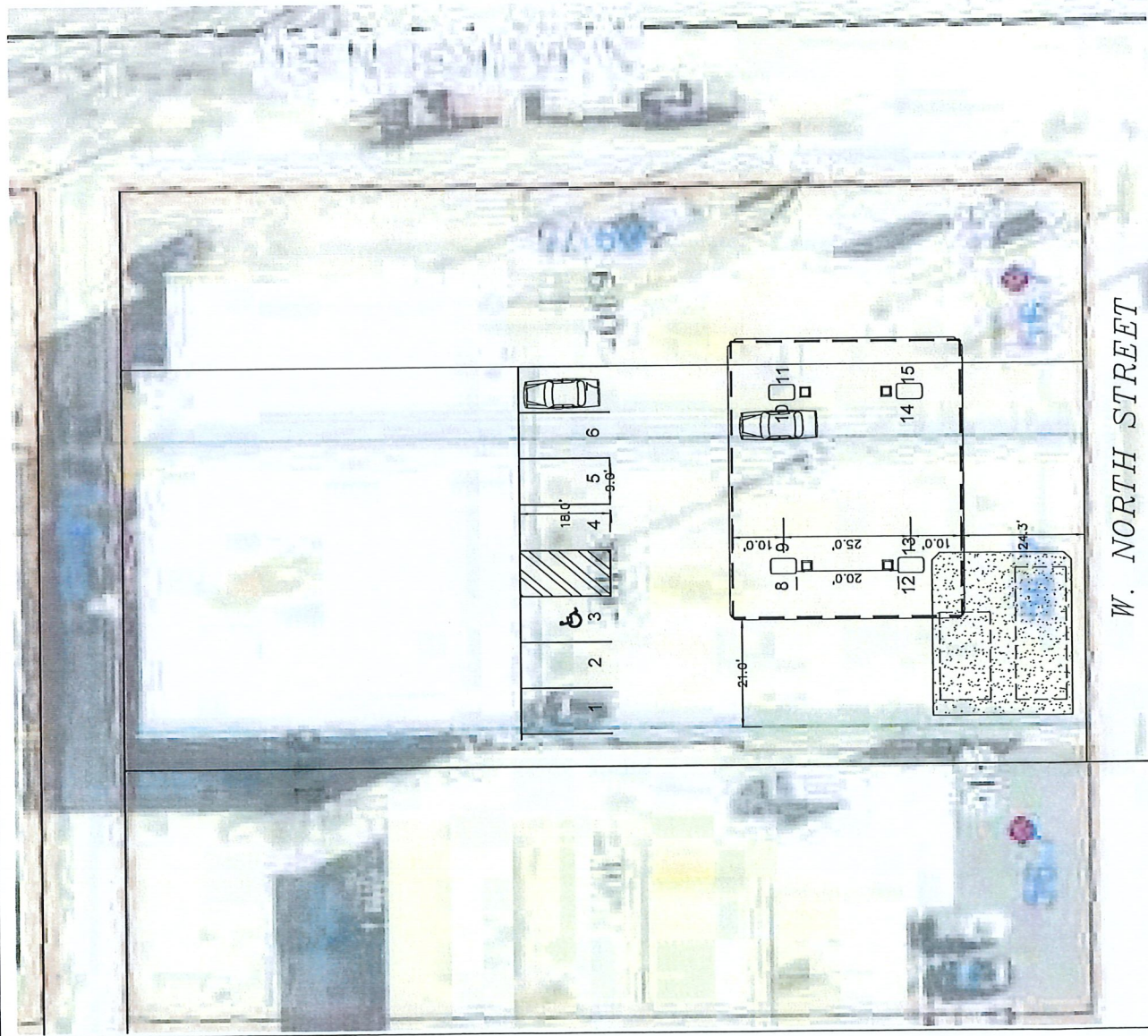
Applicant is seeking a conditional use permit for the subject property to permit the operation of a convenience store / fuel station pursuant to Section 1118.04 of the Zoning Code. The property is located on West North Street. The current use is a convenience store and drive-thru.

The property is situated on a major arterial road of the city. To the North, South, West and

East the properties are zoned Residential (RS-5). However, properties to the west are commercial use. There is an existing Sunoco Gas Station 2 properties to the west.

Our goal is to add another level of convenience to our existing patrons of the convenience store and drive thru. We do not anticipate a large increase in traffic volume but, expect our current customers to be able to fuel their vehicles when using our facility. This addition of service adds another level of convenience to serve our neighborhood and our local community needs.





W. NORTH STREET



REVISIONS



■ Planning & Zoning

**FOR OFFICE USE ONLY**

Case #: \_\_\_\_\_  
Date Received: \_\_\_\_\_  
Received by: \_\_\_\_\_  
Application Fee: \$ \_\_\_\_\_  
Review Type:  
☐ Admin ☐ CPB ☐ BZA

**GENERAL APPLICATION**

**A. PROJECT**

1. Application Type & Project Description (*attach additional information, if necessary*):

Conditional use permit for convenience store/fuel station.

Automobile and truck oriented use Section 1118.04

2. Address of Subject Property: 2206 N. Bechtle Avenue

3. Parcel ID Number(s): 320-02-00001-000-140 and 330-06-00006-100-023

4. Full legal description attached? ☒ yes ☐ no

5. Size of subject property: .52 acres and .579 acres (1.099 acres combined)

6. Current Use of Property: Vacant (former restaurant)

7. Current Zoning of Property: CC-2 Community Commercial District

**B. APPLICANT**

1. Applicant's Status (*attach proof of ownership or agent authorization*) ☐ Owner

☒ Agent (*agent authorization required*) ☐ Tenant (*agent authorization required*)

2. Name of Applicant(s) or Contact Person(s): Stephen Butler

Title: \_\_\_\_\_

Company (if applicable): Community Civil Engineers

Mailing address:  
2440 Dayton-Xenia Road, Suite B

City: Beavercreek State: OH ZIP: 45434

Telephone: ( 937 ) 490-9460 Fax: ( ) \_\_\_\_\_

Email

sbutler@communitycivilengineers.com

**APPROVED**  
Clark County Tax Map

APR 20 2018

- ☒ Legal Description  
☐ Survey Plat / Lotsplit  
☐ Subdivision / Annexation

Transferred  
Sale Price 1345 76  
APR 20 2018

John S. Federer  
Auditor

**QUIT-CLAIM DEED**  
(Statutory Form)



201800005081 04/20/2018 08:29 AM  
Filed for Record in CLARK County, Ohio  
Nancy Pence, Recorder Rec Fees: \$44.00  
QC OR Vol 2142 Pgs 5709 - 5712

**KHUSHBOO DHAWAN**, a married woman, and **HARINDER KAUR TOOR**, a married woman, grant to **SEVEN STAR PROPERTIES LLC**, an Ohio limited liability company, whose tax mailing address is 6846 Southampton Lane, West Chester, Ohio 45069, the following real property:

See Exhibit "A" attached hereto.

Subject to all legal highways, easements, protective covenants, and restrictions of record, applicable zoning laws, taxes and assessments, both general and special, including respread or reassessed assessments, becoming due and payable hereafter.

Rajinder Kumar, husband of Khushboo Dhawan, releases all rights of dower in the property conveyed by this deed.

Jagroop Toor, husband of Harinder Kaur Toor, releases all rights of dower in the property conveyed by this deed.

Prior Instrument Reference: Book 2142, Page 5705 of the Deed  
Records of Clark County, Ohio.

Executed this 13th day of April, 2018.

Khushboo Dhawan  
Khushboo Dhawan

Rajinder Kumar  
Rajinder Kumar

Harinder Kaur Toor  
Harinder Kaur Toor

Jagroop Toor  
Jagroop Toor

DAVID L LAYMAN ESQ  
3080 ACKERMAN BOULEVARD  
SUITE 320  
KETTERING, OH 45429

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of April, 2018 by Khushboo Dhawan.



Cathy L. Lynch, Notary Public  
In and for the State of Ohio  
My Commission Expires Jan. 23, 2023

Cathy L. Lynch  
Notary Public

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of April, 2018 by Rajinder Kumar.



Cathy L. Lynch, Notary Public  
In and for the State of Ohio  
My Commission Expires Jan. 23, 2023

Cathy L. Lynch  
Notary Public

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of February, 2018 by Harinder Kaur Toor.



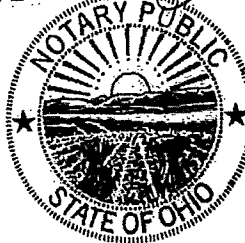
Cathy L. Lynch, Notary Public  
In and for the State of Ohio  
My Commission Expires Jan. 23, 2023

Cathy L. Lynch  
Notary Public

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of April, 2018 by Jagroop Toor.

David L. Layman  
Notary Public



David L. Layman, Attorney at Law  
Notary Public, State of Ohio  
My Commission has no expiration date.  
Section 147.03 O. R. C.

This instrument prepared by:  
David L. Layman, Esq.  
3080 Ackerman Boulevard, Suite 320  
Kettering, OH 45429  
Phone: (937) 296-0365

\*Ohio Revised Code Sections 5302.11

EXHIBIT "A"

Parcel 1

Situated in the County of Clark, in the State of Ohio, and in the City of Springfield and bounded and described as follows:

Tract I: Being Lot No. 1793 as the same is numbered and designated on a plat of lots laid out by Leuty and Spence in addition to said City, which plat is recorded in Volume 1, Page 137 of the Plat Records of said County.

Subject to all easements, restrictions and covenants of record.

Parcel No. 340-06-00005-416-019

Tract II: Being Lot No. 1794 as the same is numbered and designated on a plat of lots laid out by Leuty and Spence in addition to said City, which plat is recorded in Volume 1, Page 137 of the Plat Records of said County.

Subject to all easements, restrictions and covenants of record.

Parcel No. 340-06-00005-416-018

Property Address: 908 West North Street, Springfield, OH 45504

Parcel 2

Situate in the City of Springfield, County of Clark, State of Ohio:

Being part of Lot Nos. One Thousand Eight Hundred Five (1,805) and One Thousand Eight Hundred Six (1,806) in Spence and Leuty's Addition to the City of Springfield, Ohio, as recorded in Plat Book 4, Page 60, Plat Records of Clark County. Commencing at a point on the east side of Jackson Street, 36.8 feet south from the south line of Cedar Street, the same being Alonzo Basey's former southwest corner; thence east with said Basey's former south line, one hundred feet to Harvey Lee's west line; thence south with Harvey Lee's west line, 36.8 feet; thence west one hundred feet to the east line of Jackson Street; thence north with the east line of Jackson Street, 36.8 feet to the place of beginning.

Being part of the same premises conveyed to Johann Leinasars by certificate of transfer from the estate of Janis Leinasars, deceased, dated July 1, 1983, recorded in Volume 787, Page 918, Clark County, Ohio Deed Records be the same more or less, but subject to all legal highways.

Parcel No. 340-06-00005-417-002  
Property Address: 236 N. Jackson Street, Springfield, Ohio 45504

SEVEN STAR PROPERTIES LLC	6846 SOUTHAMPTON LN	WEST CHESTER OH 45069
SEVEN STAR PROPERTIES LLC	6846 SOUTHAMPTON LN	WEST CHESTER OH 45069
ROBERT V HAWK	1948 WEDGEWOOD CIR	SPRINGFIELD OH 45503
JOYCE A BUBP	1926 N FOUNTAIN BLVD	SPRINGFIELD OH 45504
MENTAL HEALTH SERVICES FOR CLARK AND MADISON COUNTIES INC	474 N YELLOW SPRINGS ST	SPRINGFIELD OH 45504
TONYA FROST	5258 E COUNTY LINE RD	SPRINGFIELD OH 45502
JOCELYN A PERDUE	PO BOX 88	SOUTH VIENNA OH 45369
GARLIND PROPERTIES LTD	2800 SPRINGFIELD JAMESTOWN RD	SPRINGFIELD OH 45505
R C B PROPERTY INVESTMENTS LLC	1615 RIDGEWAY DR	SPRINGFIELD OH 45506
SPRINGFIELD FOOD MARKET INC	1321 MOOREFIELD RD	SPRINGFIELD OH 45503
MILDRED M MANLEY	909 W NORTH ST	SPRINGFIELD OH 45504
R C B PROPERTY INVESTMENTS LLC	1615 RIDGEWAY DR	SPRINGFIELD OH 45506
CAROL A WIRAM	220 N JACKSON ST	SPRINGFIELD OH 45504
STELTER LLC	111 E CECIL ST	SPRINGFIELD OH 45504
SOUTH VIENNA FARMS LLC	PO BOX 184	SOUTH VIENNA OH 45369
MARQUIS ENTERPRISES INC	3232 UPPER VALLEY PIKE	SPRINGFIELD OH 45504
GARLIND PROPERTIES	2800 SPRINGFIELD JAMESTOWN RD	SPRINGFIELD OH 45505
RAINES HOLDINGS LLC	2182 BALLENTINE PIKE	SPRINGFIELD OH 45502
JOCELYN PERDUE	PO BOX 88	SOUTH VIENNA OH 45369
SINGH PROPERTIES LLC	325 W COLUMBIA ST	SPRINGFIELD OH 45504
RICHARD I & ANGELA M BROWN	252 N WESTERN AVE	SPRINGFIELD OH 45504
SINGH PROPERTIES LLC	325 W COLUMBIA ST	SPRINGFIELD OH 45504
HENSLEY INVESTMENTS LTD	6564 JOHNSON RD	SPRINGFIELD OH 45502
JOHANN LEINASARS	2220 E HIGH ST	SPRINGFIELD OH 45505
SPARTAN RESIDENTIAL LLC	750 SHRINE RD	SPRINGFIELD OH 45504
RAINES HOLDINGS LLC	2182 BALLENTINE PIKE	SPRINGFIELD OH 45502
SEVEN STAR PROPERTIES LLC	6846 SOUTHAMPTON LN	WEST CHESTER OH 45069
GEORGE E HARNER	638 N CHILDRENS HOME RD	TROY OH 45373
RICHARD I & ANGELA M BROWN	252 N WESTERN AVE	SPRINGFIELD OH 45504
TIMOTHY E HARNER	638 N CHILDRENS HOME RD	TROY OH 45373
MARGUIS VANCE	681 EAST DESHLAR AVE	COLUMBUS OH 43206
WM CAPITAL PARTNERS 68 LLC	100 CONGRESS AVE STE 1510	AUSTIN TX 78701
RAINES HOLDINGS LLC	2182 BALLENTINE PIKE	SPRINGFIELD OH 45502
JOCELYN PERDUE	PO BOX 88	SOUTH VIENNA OH 45369

TIM HARNER  
TERESSICA N PHILLIPS  
DAILEY LARRY  
ANTHONY R SHAFFNER

638 N CHILDREN'S HOME RD  
632 VALE RD  
124-126 N JACKSON ST  
260 N WESTERN AVE

TROY OH 45373  
SPRINGFIELD OH 45504  
SPRINGFIELD, OH 45504  
SPRINGFIELD OH 45504

## **STAFF REPORT**

TO: Board of Zoning Appeals

DATE: June 16, 2021

PREPARED BY: Stephen Thompson

SUBJECT: Case #21-A-31

### **GENERAL INFORMATION:**

Applicant: Community Civil Engineers, 2440 Dayton-Xenia Rd, Suite B, Beavercreek, OH 45434

Owner: Seven Star Properties, 6846 Southampton Ln., West Chester, OH 45069

Purpose: For a conditional use permit to construct a gas station

Location: 908 W North St.

Size: 0.5 acre

Existing Land Use and Zoning: Retail, zoned CC-2

Surrounding Land Use and Zoning: North: Residential, RS-5  
East: Residential, RS-5  
South: Residential, RS-5  
West: Commercial, RS-5

Applicable Regulations: Chapter 1172.05 Board of Zoning Appeals: Conditional Uses  
Chapter 1118.04 Conditional Uses

File Date: May 28, 2021

### **BACKGROUND:**

The applicant seeks a conditional use permit to add fuel pumps to the existing business. The property was rezoned from RS-5 to CC-2 in June 2021. The site was a fuel station in the past.

### **ANALYSIS for Conditional Use:**

In considering an application for a conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures, and the consistency therewith of the proposed use and development. Before authorizing a use as a conditional use, the Board shall review the facts and circumstances of each proposed conditional use in terms of the following standards and shall find adequate evidence showing that the proposed conditional use at the proposed location:

- (1) Would not be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood by reason of noise, smoke, odor, vibration, dust and dirt, cinders, noxious gases, glare and heat, fire and safety hazards, sewage wastes and pollution, transportation and traffic, aesthetic and psychological effects. The Board shall use and give recognition to those performance standards which are available in model codes or ordinances, or have been developed by planning, manufacturing, health, architectural and engineering organizations, and can be applied to the proposed use, to assist it in reaching a fair and objective decision;

*Staff Comment: It would. A gas station would generate more traffic than the existing retail only. The proximity to the residential neighborhood is not appropriate for an additional gas station.*

- (2) Is in fact a conditional use as established under the provisions of this Springfield Zoning Code as eligible to be permitted in the district involved;

*Staff Comment: Yes.*

- (3) Will be harmonious with and in accordance with the general objectives, or with any specific objective of this Springfield Zoning Code;

*Staff Comment: Yes.*

- (4) Will be designed, constructed, operated and maintained as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not change the essential character of the same area;

*Staff Comment: Yes.*

- (5) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

*Staff Comment: Yes.*

- (6) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

*Staff Comment: It will not.*

- (7) Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. Upon authorizing a conditional use, the Board shall impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this Springfield Zoning Code for the particular conditional use, as the Board may deem

necessary for the protection of adjacent properties and the public interest.

***Staff Comment:** Adding the gas station to the existing retail will add additional traffic to the existing retail use. The proximity to the residential neighborhood could lead to an increase in traffic through the neighborhood.*

**RETURNED REPORTS FROM STAFF:**

Service/Engineering Department:	Recommend approval; existing entrances need to be looked at when plans are submitted. Drives may need to be reconfigured or removed.
Building Inspections:	Recommend approval; all building comments will be addressed during the permit process.
Police Division:	Recommend approval
Fire Department:	Recommend approval
City Manager's Office:	Recommend denial; shall be detrimental to traffic flow and control.

**STAFF RECOMMENDATION:**

Denial of the conditional use permit.

**ATTACHMENTS:**

1. Vicinity and zoning map
2. Application

#21-A-31  
908 W North St.



#21-A-31  
908 W North St.





**2021 BOARD OF ZONING APPEALS ATTENDANCE**

BOARD MEMBERS		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
		20	17	15	19	17	21	19	16	20	18	15	20
Dori Gaier Reso. 6048	5-11-2019 5-11-2012	P	P	P	A	P							
Denise Williams Reso. 6059	8-03-2019 8-03-2022	P	A	P	P	P							
Matthew Ryan Reso. 5839	7-28-2020 8-11-2023	P	A	A	P	P							
Mark Brown Reso. 5869	1-20-2018 3-13-2021	P	P	A	P	P							
James Burkhardt Reso. 5880	4-01-2018 3-31-2021	A	P	P	A	P							
Rhonda Zimmers Reso. 5914	1-5-2019 1-06-2022	P	P	P	P	A							
Charles Harris Reso. 6069	11-26-2019 3-26-2022	P	P	P	P	P							

NOTE: The first date shown is the original appointment/reappointment date. The second date represents the most recent term's expiration.  
The City Commission Resolution is also listed.



Planning & Zoning

CITY OF SPRINGFIELD  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING AND ZONING DIVISION

**City Planning Board**  
**Regular Meeting - First Monday following the First Tuesday of the Month**  
**7:00 P.M. - City Forum, City Hall, 76 E. High St., Springfield, Ohio**

**City Planning Board**  
**Meeting Date:**

January 11, 2021  
February 8, 2021  
March 8, 2021  
April 12, 2021  
May 10, 2021  
June 7, 2021  
July 12, 2021  
August 9, 2021  
September 13, 2021  
October 11, 2021  
November 8, 2021  
December 13, 2021

**Lotsplit Variance,**  
**Rezoning, and Final**  
**Subdivision**  
**Application**  
**Deadline:**

December 21, 2020  
January 15, 2021  
February 12, 2021  
March 22, 2021  
April 19, 2021  
May 17, 2021  
June 21, 2021  
July 19, 2021  
August 23, 2021  
September 20, 2021  
October 18, 2021  
November 22, 2021

**Board of Zoning Appeals**  
**Regular Meeting-Third Monday of the Month**  
**7:00 P.M.- City Forum, City Hall, 76 E. High St., Springfield, Ohio**

**Board of Zoning**

January 20, 2021 \*  
February 17, 2021 \*  
March 15, 2021  
April 19, 2021  
May 17, 2021  
June 21, 2021  
July 19, 2021  
August 16, 2021  
September 20, 2021  
October 18, 2021  
November 15, 2021  
December 20, 2021

**Application Deadline:**

December 28, 2020  
January 25, 2021  
February 22, 2021  
March 29, 2021  
April 26, 2021  
May 28, 2021  
June 28, 2021  
July 26, 2021  
August 30, 2021  
September 27, 2021  
October 25, 2021  
November 29, 2021

\* Denotes meeting day changed to Wednesday due to holiday.

Effective Date: December 2020

Prepared by the Planning and Zoning Division

## 2021 CITY COMMISSION CALENDAR

JANUARY 2021						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
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24	25	26	27	28	29	30
MARCH 2021						
Su	M	Tu	W	Th	F	Sa
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28	29	30	31		Retreat	
MAY 2021						
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30	31				Election Day	
JULY 2021						
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SEPTEMBER 2021						
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NOVEMBER 2021						
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28	29	30	Budget Mtgs	Election Day		
FEBRUARY 2021						
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28						
APRIL 2021						
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JUNE 2021						
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27	28	29	30			
AUGUST 2021						
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22	23	24	25	26	27	28
29	30	31				
OCTOBER 2021						
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17	18	19	20	21	22	23
24	25	26	27	28	29	30
DECEMBER 2021						
Su	M	Tu	W	Th	F	Sa
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19	20	21	22	23	24	25
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